



CITY COUNCIL AGENDA
CITY COUNCIL MEETING OF: SEPTEMBER 18, 2002

THESE PROCEEDINGS ARE BEING PRESENTED LIVE ON KCLV, CABLE CHANNEL 2, AND ARE CLOSED CAPTIONED FOR OUR HEARING IMPAIRED VIEWERS. THE COUNCIL MEETING, AS WELL AS ALL OTHER KCLV PROGRAMMING, CAN BE VIEWED ON THE INTERNET AT www.kclv.tv. THE PROCEEDINGS WILL BE REBROADCAST ON KCLV CHANNEL 2 AND THE WEB THE WEDNESDAY OF THE MEETING AT 8:00 PM, AND ALSO ON FRIDAY AT 4:00 AM, SATURDAY AT 7:00 PM, SUNDAY AT 7:00 AM AND THE FOLLOWING MONDAY AT 1:00 PM.

- CALL TO ORDER
- ANNOUNCEMENT RE: COMPLIANCE WITH OPEN MEETING LAW
- INVOCATION - THE REVEREND BONNIE POLLEY, CHRIST EPISCOPAL CHURCH
- PLEDGE OF ALLEGIANCE

MINUTES:

PRESENT: MAYOR GOODMAN and COUNCILMEMBERS REESE, M. McDONALD (excused from the AM Session from 9:21 A.M. to 9:33 A.M.), BROWN, L.B. McDONALD (excused from the AM Session from 9:00 A.M. to 9:59 A.M.), WEEKLY, and MACK

Also Present: CITY MANAGER DOUG SELBY, DEPUTY CITY MANAGER STEVE HOUCHENS, DEPUTY CITY MANAGER BETSY FRETWELL, CITY ATTORNEY BRAD JERBIC, ASSISTANT CITY ATTORNEY JOHN REDLEIN, DEPUTY CITY ATTORNEY TOM GREEN, DEPUTY CITY ATTORNEY BRYAN SCOTT (P.M. Session), and CITY CLERK BARBARA JO RONEMUS

ANNOUNCEMENT MADE – Meeting noticed and posted at the following locations:

Las Vegas Library, 833 Las Vegas Boulevard North

Senior Citizens Center, 450 E. Bonanza Road

Clark County Government Center, 500 S. Grand Central Parkway

Court Clerk's Bulletin Board, City Hall

City Hall Plaza, Posting Board

(9:05 – 9:06)

City of Las Vegas

CITY COUNCIL MEETING OF SEPTEMBER 18, 2002

MINUTES – Continued:

THE REVEREND BONNIE POLLEY, Christ Episcopal Church, gave the invocation.

(9:06 – 9:07)

1-22

MAYOR GOODMAN led the audience in the Pledge.

(9:07 – 9:09)

1-80

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: SEPTEMBER 18, 2002

DEPARTMENT: PUBLIC AFFAIRS

DIRECTOR: DAVID RIGGLEMAN

☐

CONSENT

☐

DISCUSSION

SUBJECT:

CEREMONIAL:

RECOGNITION OF EMPLOYEE OF THE MONTH

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

RECOMMENDATION:

BACKUP DOCUMENTATION:

Agenda Memo

MOTION:

None required.

MINUTES:

MAYOR GOODMAN recognized LAURIE KVOOL, Service Repair Writer with the Department of Field Operations, Fleet and Transportation Services Division. An employee of the City since May 1990, MS. KVOOL was paid numerous accolades by Field Operations Director LARRY HAUGSNESS and Fleet and Transportation Services Manager, DAN HYDE. Both gentlemen praised her work ethic and unsurpassed excellence in the performance of her duties and responsibilities. MR. HAUGSNESS added that the nomination was made by an employee of Detention and Enforcement.

MS KVOOL expressed her appreciation for the recognition and in turn thanked her fellow workers for their untiring efforts. She spoke with great pride at having the best job in the City. MAYOR GOODMAN added that MS. KVOOL is noted for her positive and professional attitude despite pressured circumstances or heavy workloads. He stated that she is truly a model employee.

(9:07 – 9:11)

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: SEPTEMBER 18, 2002

DEPARTMENT: PUBLIC AFFAIRS

DIRECTOR: DAVID RIGGLEMAN

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CONSENT

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DISCUSSION

SUBJECT:

CEREMONIAL:

PRESENTATION TO OUTSTANDING COMMUNITY LATINO LEADERS

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

RECOMMENDATION:

BACKUP DOCUMENTATION:

MOTION:

None required.

MINUTES:

COUNCILMAN WEEKLY proudly acknowledged his enjoyment of and pleasure at attending several outstanding Hispanic celebrations that took place during the earlier part of the week, with several events yet to be held through October 20th. He called upon his liaison, KELLY BENAVIDES to give a brief overview of the upcoming festivities. MS. BENAVIDES encouraged everyone to attend.

Recognizing several outstanding community Latino leaders, COUNCILMAN WEEKLY first introduced FRAN MONTES as the Outstanding Political Activist. MS. MONTES, as President, represents the Hispanics in Politics. He announced his nomination for the Outstanding Student Activist by calling forward CHELSIE CAMPBELL, who is the President of the Student Organization of Latinos at the University of Nevada Las Vegas. Proprietor ALFREDO MARTINEZ, of Tamales Dona Maria, was recognized as the Outstanding Entrepreneur. COUNCILMAN WEEKLY recounted a recent "Meet the Mayor" gathering that took place at Dona Maria and the great turnout of constituents that attended.



CITY COUNCIL MEETING OF SEPTEMBER 18, 2002
Ceremonial

MINUTES – Continued:

COUNCILMAN WEEKLY called upon JOSE FAJARDO, the Executive Director and an instructor of the Ballet Folkloric Tepuchcalli, to step forward and receive recognition for Outstanding Community Service. MARLENE MONTEOLIVO, a reporter and radio personality, proudly accepted her nomination for Outstanding Hispanic in Media. Lastly, an Advisor at the Desert Pines High School, NEFTALI TORRES was recognized by COUNCILMAN WEEKLY. COUNCILMAN WEEKLY expressed how great MR. TORRES works with the student body and declared that he is one of the great assets of the School District.

On a closing note, COUNCILMAN WEEKLY expressed that he sincerely hopes that the foundations that he has established in his capacity as a City Council representative will encourage young adults, especially those of Afro-American descent, to follow in his footsteps and be an inspiration for others to go out and do great things. Addressing everyone, he declared that we should all celebrate who we are.

MAYOR GOODMAN remarked that the Latin Chamber of Commerce honored COUNCILMAN REESE with the Award of Distinction and Service to the Latino community. MAYOR GOODMAN stated that oftentimes the City Council is criticized for not accomplishing things. Keeping that in mind, he mentioned that COUNCILMAN REESE toured a nearly-completed Community Center that is located in his ward. Overcome with joyful emotion, COUNCILMAN REESE expressed how proud he was with the construction of this project especially because it is in the area that he represents. MAYOR GOODMAN stated that this Award of Distinction and Service to the Community was awarded to a very deserving leader.

MS. MONTES shared with everyone that COUNCILMAN WEEKLY will also be honored for his service to the community by the Hispanics in Politics organization

(9:11 – 9:21)

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 18, 2002

DEPARTMENT: CITY CLERK

DIRECTOR: BARBARA JO (RONI) RONEMUS

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CONSENT

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DISCUSSION

SUBJECT:

BUSINESS ITEMS:

Any items from the morning session that the Council, staff and/or the applicant wishes to be stricken or held in abeyance to a future meeting may be brought forward and acted upon at this time

MOTION:

REESE – Motion to bring forward and STRIKE Item 64 [Appeal of Work Card – Troy Alex Parish] and Hold in ABEYANCE Item 65 [ABEYANCE ITEM – GMN Associates, LLC] to 10/16/2002 – UNANIMOUS with L.B. McDONALD excused

NOTE: MAYOR GOODMAN stated that COUNCILWOMAN McDONALD asked to be excused from the first portion of the Council meeting.

MINUTES:

COUNCILMAN WEEKLY asked, for the record, whether Item 6 [Special Event Liquor License] had been addressed in relation to the cleaning of the park, parking lot and the areas adjacent to the neighborhood, following the evening festivities. DR. BARBARA JACKSON acknowledged that the Leisure Services Department is working closely with Detention and Enforcement as well as Field Operations, who always do a superb job of cleaning up following special events. She commented that the vendor is contractually bound to do cleanup on their own.

COUNCILMAN WEEKLY commented that he checked the park following the Hispanic Day Festival celebration and was pleased to see that the neighborhood and park were cleaned up very well.

MAYOR GOODMAN stated that during his briefing, there was a request to pull forward Items 21 [Sunflower Massage] and 22 [Bid Number 02.15341.07 LED]. COUNCILMAN REESE concurred.

(9:21 – 9:33)

1-507

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: SEPTEMBER 18, 2002

DEPARTMENT: CITY CLERK

DIRECTOR: BARBARA JO (RONI) RONEMUS

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CONSENT

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DISCUSSION

SUBJECT:

BUSINESS ITEMS:

Approval of the Final Minutes by reference of the Regular City Council Meeting of August 21, 2002

MOTION:

REESE – APPROVED by Reference – UNANIMOUS with L. B. McDONALD excused

MINUTES:

There was no discussion.

(9:33)

1-917

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 18, 2002

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

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CONSENT

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DISCUSSION

SUBJECT:

Approval of Service and Material Checks/Payroll Checks/Wire Transfers/Other Checks and Investments

Fiscal Impact

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No Impact

Amount: \$66,076,203.25

☒

Budget Funds Available

Dept./Division: Accounting Operations

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Augmentation Required

Funding Source: All Funds

PURPOSE/BACKGROUND:

In compliance with the City's Municipal Code, Chapter 4.12, this is an informational item that provides the dollar amount of disbursements processed by the Finance and Business Services Department.

RECOMMENDATION:

BACKUP DOCUMENTATION:

Summary of cash expenditures for the period 08/01/02 -08/15/02

Total Services and Materials Checks	\$	42,196,536.78
Total Payroll Checks	\$	4,676,862.81
Total Wire Transfers	\$	19,202,803.66
Total NBS & City Investments		0.00

MOTION:

REESE – Motion to APPROVE Item 3 through 20 and 23 through 61 – UNANIMOUS with L.B. McDONALD excused

Item 21 APPROVED subject to added conditions

Item 22 APPROVED

(see individual items)

CITY COUNCIL MEETING OF SEPTEMBER 18, 2002

Finance and Business Services

Item 3 – Approval of Service and Material Checks/Payroll Checks/Wire Transfers/Other Checks and Investments

MOTION – Continued:

NOTE: COUNCILMAN MACK disclosed that several items involve properties that are in close proximity to businesses owned by family or clients of Kubik Advertising to which he is affiliated. Item 9 is located near property owned by Dennis Bedford who is a client of Kubik Advertising. Item 12 is located near another Kubik Advertising client, Becker Gaming, and his brother-in-law, Andrew Donner, owns Timbers Bar and Grill in the same vicinity. Relating to Item 21, his brother, Steven Mack, owns a SuperPawn located in that vicinity. Items 38, 40 and 41 all pertain to construction on portions of Rainbow, where his brother-in-law, Andrew Donner, owns the Timbers Bar and Grill. COUNCILMAN MACK stated that he has never discussed any of these items with any of these people and doesn't believe that there would be any impact on their businesses, so he would be voting on these items.

MINUTES:

There was no related discussion.

COUNCILMAN WEEKLY commented that the Real Estate Committee met and reviewed all of the Real Estate Items on the Consent Agenda and joins with the recommendation of staff that Items 60 and 61 be approved by the City Council.

(9:32 – 9:33)

1-865

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 18, 2002

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of a new Family Home Child Care License, Ramona Bradford, dba Ramona Bradford, 6905 Vivian Circle, Ramona Bradford, 100% - Ward 1 (M. McDonald)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Approval of a new Family Home Child Care License

RECOMMENDATION:

Recommend approval

BACKUP DOCUMENTATION:

None

MOTION:

REESE – Motion to APPROVE Item 3 through 20 and 23 through 61 – UNANIMOUS with L.B. McDONALD excused

Item 21 APPROVED subject to added conditions

Item 22 APPROVED

(see individual items)

MINUTES:

There was no related discussion.

(9:32 – 9:33)

1-865

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 18, 2002

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of a new Family Home Child Care License, Natali Hiscocks, dba Natali Hiscocks, 7517 Fencerow Street, Natali Hiscocks, 100% - Ward 6 (Mack)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Approval of a new Family Home Child Care License

RECOMMENDATION:

Recommend approval

BACKUP DOCUMENTATION:

None

MOTION:

REESE – Motion to APPROVE Item 3 through 20 and 23 through 61 – UNANIMOUS with L.B. McDONALD excused

Item 21 APPROVED subject to added conditions

Item 22 APPROVED

(see individual items)

MINUTES:

There was no related discussion.

(9:32 – 9:33)

1-865

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 18, 2002

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

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CONSENT

☐

DISCUSSION

SUBJECT:

Approval of a Special Event Liquor License for Las Vegas Basque Club, Location: Sammy Davis Jr. Festival Plaza, Lorenzi Park, 720 Twin Lakes Drive, Date: October 13, 2002, Type: Special Event General, Event: 21st Annual Basque Festival, Responsible Person in Charge: Jose Beristain - Ward 5 (Weekly)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Approval of a Special Event Liquor License

RECOMMENDATION:

Recommend approval

BACKUP DOCUMENTATION:

None

MOTION:

REESE – Motion to APPROVE Item 3 through 20 and 23 through 61 – UNANIMOUS with L.B. McDONALD excused

Item 21 APPROVED subject to added conditions

Item 22 APPROVED
(see individual items)

MINUTES:

COUNCILMAN WEEKLY asked, for the record, whether Item 6 [Special Event Liquor License] had been addressed in relation to the cleaning of the park, parking lot and the areas adjacent to the neighborhood, following the evening festivities. DR. BARBARA JACKSON acknowledged that the Leisure Services Department is working closely with Detention and Enforcement as well as Field Operations, who always do a superb job of cleaning up following activities. She commented that the Vendors are contractually bound to do cleanup on their own.

COUNCILMAN WEEKLY commented that he had checked the park following the Hispanic Day Festival celebration and was pleased to see that the neighborhood and park were cleaned up very well.

(9:32 – 9:33)

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 18, 2002

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

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CONSENT

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DISCUSSION

SUBJECT:

Approval of Management Committee Member for a Tavern Liquor License, Meadowbrook Mountain Spa, LLC, dba Silver Stone Golf Club, 8600 Cupp Drive, Thomas J. Judson, Mgmt Committee Mmbr - Ward 6 (Mack)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Approval of Management Committee Member for a Tavern Liquor License

RECOMMENDATION:

Recommend approval

BACKUP DOCUMENTATION:

None

MOTION:

REESE – Motion to APPROVE Item 3 through 20 and 23 through 61 – UNANIMOUS with L.B. McDONALD excused

Item 21 **APPROVED** subject to added conditions

Item 22 **APPROVED**
(see individual items)

MINUTES:

There was no related discussion.

(9:32 – 9:33)

1-865

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 18, 2002

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of Key Employee for a Supper Club Liquor License, ARG Enterprises, Inc., dba Stuart Anderson's Black Angus, 2025 Village Center Circle, Marc F. Klinge, Gen Mgr - Ward 4 (Brown)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Approval of Key Employee for a Supper Club Liquor License

RECOMMENDATION:

Recommend approval

BACKUP DOCUMENTATION:

None

MOTION:

REESE – Motion to APPROVE Item 3 through 20 and 23 through 61 – UNANIMOUS with L.B. McDONALD excused

Item 21 APPROVED subject to added conditions

Item 22 APPROVED

(see individual items)

MINUTES:

There was no related discussion.

(9:32 – 9:33)

1-865

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 18, 2002

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of Key Employee for a Tavern Liquor License, Landry's Seafood House of Nevada, Inc., dba Landry's Seafood House, 2610 West Sahara Ave., Todd K. Ansteth, Gen Mgr - Ward 1 (M. McDonald)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Approval of Key Employee for a Tavern Liquor License

RECOMMENDATION:

Recommend approval

BACKUP DOCUMENTATION:

None

MOTION:

REESE – Motion to APPROVE Item 3 through 20 and 23 through 61 – UNANIMOUS with L.B. McDONALD excused

Item 21 APPROVED subject to added conditions

Item 22 APPROVED
(see individual items)

NOTE: COUNCILMAN MACK disclosed that several items involve properties that are in close proximity to businesses owned by family or clients of Kubik Advertising to which he is affiliated. Item 9 is located near property owned by Dennis Bedford who is a client of Kubik Advertising. Item 12 is located near another Kubik Advertising client, Becker Gaming, and his brother-in-law, Andrew Donner, owns Timbers Bar and Grill in the same vicinity. Relating to Item 21, his brother, Steven Mack, owns a SuperPawn located in that vicinity. Items 38, 40 and 41 all pertain to construction on portions of Rainbow, where his brother-in-law, Andrew Donner, owns the Timbers Bar and Grill. COUNCILMAN MACK stated that he has never discussed any of these items with any of these people and doesn't believe that there would be any impact on their businesses, so he would be voting on these items.

There was no related discussion.

(9:32 – 9:33)
1-865

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 18, 2002

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of Key Employee for a Beer/Wine/Cooler Off-sale Liquor License, Rebel Oil Company, Inc., dba Rebel 77, 6400 West Lake Mead Blvd., Rebecca J. Linford, Mgr - Ward 6 (Mack)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Approval of Key Employee for a Beer/Wine/Cooler Off-sale Liquor License

RECOMMENDATION:

Recommend approval

BACKUP DOCUMENTATION:

None

MOTION:

REESE – Motion to APPROVE Item 3 through 20 and 23 through 61 – UNANIMOUS with L.B. McDONALD excused

Item 21 APPROVED subject to added conditions

Item 22 APPROVED

(see individual items)

MINUTES:

There was no related discussion.

(9:32 – 9:33)

1-865

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 18, 2002

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of Key Employee for a Beer/Wine/Cooler Off-sale Liquor License, Circle K Convenience Stores, Inc., dba Circle K Store #1246, 5400 Vegas Drive, Steven L. Greeley, Mgr - Ward 5 (Weekly)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Approval of Key Employee for a Beer/Wine/Cooler Off-sale Liquor License

RECOMMENDATION:

Recommend approval

BACKUP DOCUMENTATION:

None

MOTION:

REESE – Motion to APPROVE Item 3 through 20 and 23 through 61 – UNANIMOUS with L.B. McDONALD excused

Item 21 **APPROVED** subject to added conditions

Item 22 **APPROVED**
(see individual items)

MINUTES:

There was no related discussion.

(9:32 – 9:33)

1-865

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 18, 2002

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of Key Employee for a Tavern Liquor License and a Restricted Gaming License for 15 slots, Golden - PT's Pub West Sahara 8, LLC, dba PT's Pub, 4604 West Sahara Ave., Suite 10, Anthony J. Podorsek, Bar Mgr - Ward 1 (M. McDonald)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Approval of Key Employee for a Tavern Liquor License and a Restricted Gaming License for 15 slots

RECOMMENDATION:

Recommend approval

BACKUP DOCUMENTATION:

None

MOTION:

REESE – Motion to APPROVE Item 3 through 20 and 23 through 61 – UNANIMOUS with L.B. McDONALD excused

Item 21 APPROVED subject to added conditions

Item 22 APPROVED
(see individual items)

NOTE: COUNCILMAN MACK disclosed that several items involve properties that are in close proximity to businesses owned by family or clients of Kubik Advertising to which he is affiliated. Item 9 is located near property owned by Dennis Bedford who is a client of Kubik Advertising. Item 12 is located near another Kubik Advertising client, Becker Gaming, and his brother-in-law, Andrew Donner, owns Timbers Bar and Grill in the same vicinity. Relating to Item 21, his brother, Steven Mack, owns a SuperPawn located in that vicinity. Items 38, 40 and 41 all pertain to construction on portions of Rainbow, where his brother-in-law, Andrew Donner, owns the Timbers Bar and Grill. COUNCILMAN MACK stated that he has never discussed any of these items with any of these people and doesn't believe that there would be any impact on their businesses, so he would be voting on these items.

There was no further related discussion.

(9:32 – 9:33)

1-865

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 18, 2002

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of Key Employee for a Tavern Liquor License and a Restricted Gaming License for 8 slots, Macayo Vegas, Inc., dba Macayo Vegas #3, 4457 West Charleston Blvd., Charlisa R. Yates, Mgr - Ward 1 (M. McDonald)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Approval of Key Employee for a Tavern Liquor License and a Restricted Gaming License for 8 slots

RECOMMENDATION:

Recommend approval

BACKUP DOCUMENTATION:

None

MOTION:

REESE – Motion to APPROVE Item 3 through 20 and 23 through 61 – UNANIMOUS with L.B. McDONALD excused

Item 21 APPROVED subject to added conditions

Item 22 APPROVED
(see individual items)

MINUTES:

There was no related discussion.

(9:32 – 9:33)

1-865

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 18, 2002

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of Key Employee for a Tavern Liquor License and a Restricted Gaming License for 15 slots,
Golden - PT's Pub Rainbow 11, LLC, dba PT's Pub, 739 South Rainbow Blvd., Scott D. Wolf, Bar
Mgr - Ward 1 (M. McDonald)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Approval of Key Employee for a Tavern Liquor License and a Restricted Gaming License for 15 slots

RECOMMENDATION:

Recommend approval

BACKUP DOCUMENTATION:

None

MOTION:

**REESE – Motion to APPROVE Item 3 through 20 and 23 through 61 – UNANIMOUS with
L.B. McDONALD excused**

Item 21 APPROVED subject to added conditions

Item 22 APPROVED
(see individual items)

MINUTES:

There was no related discussion.

(9:32 – 9:33)

1-865

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 18, 2002

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of Key Employee for a Tavern Liquor License and a Restricted Gaming License for 15 slots, L & I Properties, Inc., dba O' Aces Bar & Grill, 3003 North Rainbow Blvd., Laura J. Lucas, Mgr - Ward 6 (Mack)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Approval of Key Employee for a Tavern Liquor License and a Restricted Gaming License for 15 slots

RECOMMENDATION:

Recommend approval

BACKUP DOCUMENTATION:

None

MOTION:

REESE – Motion to APPROVE Item 3 through 20 and 23 through 61 – UNANIMOUS with L.B. McDONALD excused

Item 21 APPROVED subject to added conditions

Item 22 APPROVED
(see individual items)

MINUTES:

There was no related discussion.

(9:32 – 9:33)

1-865

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: SEPTEMBER 18, 2002

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of Key Employee for a Tavern Liquor License and a Restricted Gaming License for 15 slots, John Tom Corporation, dba Four Kegs, 276 North Jones Blvd., Suite B, Mario J. Perkins, Gen Mgr - Ward 2 (L.B. McDonald)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Approval of Key Employee for a Tavern Liquor License and a Restricted Gaming License for 15 slots

RECOMMENDATION:

Recommend approval

BACKUP DOCUMENTATION:

None

MOTION:

REESE – Motion to APPROVE Item 3 through 20 and 23 through 61 – UNANIMOUS with L.B. McDONALD excused

Item 21 APPROVED subject to added conditions

Item 22 APPROVED

(see individual items)

MINUTES:

There was no related discussion.

(9:32 – 9:33)

1-865

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: SEPTEMBER 18, 2002

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of Key Employee for a Tavern Liquor License and a Restricted Gaming License for 9 slots, Getdown, Inc., dba Back Door Lounge, 1415 East Charleston Blvd., Terry M. Edwards, Key Employee - Ward 5 (Weekly)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Approval of Key Employee for a Tavern Liquor License and a Restricted Gaming License for 9 slots

RECOMMENDATION:

Recommend approval

BACKUP DOCUMENTATION:

None

MOTION:

REESE – Motion to APPROVE Item 3 through 20 and 23 through 61 – UNANIMOUS with L.B. McDONALD excused

Item 21 APPROVED subject to added conditions

Item 22 APPROVED
(see individual items)

MINUTES:

There was no related discussion.

(9:32 – 9:33)

1-865

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 18, 2002

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of Change of Business Name for a Burglar Alarm Service License, From: @Security Broadband Nevada Operations, Inc., dba @Security Broadband Nevada Operations, Inc., To: Security Broadband Nevada, Inc., dba Security Broadband Nevada, Inc., 6201 South Industrial Road, Harris H. Bass, Pres, Secy, Daniel J. Pike, VP, Karen L. Miller, Treas, Larry E. Smith, QE - County

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Approval of Change of Business Name for a Burglar Alarm Service License

RECOMMENDATION:

Recommend approval

BACKUP DOCUMENTATION:

None

MOTION:

REESE – Motion to APPROVE Item 3 through 20 and 23 through 61 – UNANIMOUS with L.B. McDONALD excused

Item 21 APPROVED subject to added conditions

Item 22 APPROVED

(see individual items)

MINUTES:

There was no related discussion.

(9:32 – 9:33)

1-865

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: SEPTEMBER 18, 2002

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of Change of Location for a Hypnotist License subject to the provisions of the planning and fire codes, Christine Essex, dba Christine Essex, From: 600 South Jones Blvd., To: 7380 West Sahara Ave., Suite 140, Christine Essex, 100% - Ward 1 (M. McDonald)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Approval of Change of Location for a Hypnotist License

RECOMMENDATION:

Recommend approval subject to the provisions of the planning and fire codes

BACKUP DOCUMENTATION:

Map

MOTION:

REESE – Motion to APPROVE Item 3 through 20 and 23 through 61 – UNANIMOUS with L.B. McDONALD excused

Item 21 APPROVED subject to added conditions

Item 22 APPROVED

(see individual items)

MINUTES:

There was no related discussion.

(9:32 – 9:33)

1-865

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 18, 2002

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of a new Locksmith License, Philip A. Stewart, dba Stewart Commercial Services, 2969 Highland Drive, Philip A. Stewart, 100% - County

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Approval of a new Locksmith License

RECOMMENDATION:

Recommend approval

BACKUP DOCUMENTATION:

None

MOTION:

REESE – Motion to APPROVE Item 3 through 20 and 23 through 61 – UNANIMOUS with L.B. McDONALD excused

Item 21 APPROVED subject to added conditions

Item 22 APPROVED

(see individual items)

MINUTES:

There was no related discussion.

(9:32 – 9:33)

1-865

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: SEPTEMBER 18, 2002

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of a new Massage Establishment License subject to the provisions of the planning codes, Xiao Ping Sun, dba Sunflower Massage, 2127 Paradise Road, Suite B, Xiao P. Sun, 100% - Ward 3 (Reese)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Approval of a new Massage Establishment License

RECOMMENDATION:

Recommend approval subject to the provisions of the planning codes

BACKUP DOCUMENTATION:

Map

MOTION:

REESE – APPROVED subject to the following conditions:

- 1. That the Council issue a temporary license for a period of six months with a review at the end of that time.*
- 2. Any arrests or citations on the premises would require notification in writing to Business Services within forty-eight (48) hours.*
- 3. That the hours of operation would be limited from 9:00 a.m. to 8:00 p.m. during this temporary period.*
- 4. That the applicant's wife would not be allowed to work on the premises during this temporary period.*
- 5. If any of the conditions imposed are violated, this temporary license shall be suspended or revoked*

– UNANIMOUS with L.B. McDONALD excused

CITY COUNCIL MEETING OF SEPTEMBER 18, 2002
Finance and Business Services
Item 21 – Sunflower Massage

MOTION – Continued:

NOTE: COUNCILMAN MACK disclosed that several items involve properties that are in close proximity to businesses owned by family or clients of Kubik Advertising to which he is affiliated. Item 9 is located near property owned by Dennis Bedford who is a client of Kubik Advertising. Item 12 is located near another Kubik Advertising client, Becker Gaming, and his brother-in-law, Andrew Donner, owns Timbers Bar and Grill in the same vicinity. Relating to Item 21, his brother, Steven Mack, owns a SuperPawn located in that vicinity. Items 38, 40 and 41 all pertain to construction on portions of Rainbow, where his brother-in-law, Andrew Donner, owns the Timbers Bar and Grill. COUNCILMAN MACK stated that he has never discussed any of these items with any of these people and doesn't believe that there would be any impact on their businesses, so he would be voting on these items.

MINUTES:

MAYOR GOODMAN stated that during his briefing, there was a request to pull forward Items 21 [Sunflower Massage] and 22 [Bid Number 02.15341.07 LED]. COUNCILMAN REESE concurred.

NOTE: A Verbatim Transcript is made a part of the Final Minutes.

APPEARANCES:

JIM DIFIORE, Finance and Business Services

REGINA UNG, Las Vegas

XIAO PING SUN, 2127 Paradise Road

(9:21 – 9:33/9:24 – 9:30)

1-507/605

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 18, 2002

DEPARTMENT: FINANCE AND BUSINESS SERVICES**DIRECTOR: MARK R. VINCENT**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

Preapproval of Bid Number 02.15341.07-LED, Bonanza-Sandhill Park to the lowest responsive & responsible or best bidder and approve the construction conflicts and contingency reserve set by Finance & Business Services - Department of Public Works (monetary range \$1,700,000 to \$2,200,000 - Capital Projects Fund) - Ward 3 (Reese)

Fiscal Impact☐**No Impact****Amount:** \$2,200,000☒**Budget Funds Available****Dept./Division:** Public Works☐**Augmentation Required****Funding Source:** Capital Projects Fund**PURPOSE/BACKGROUND:**

This project consists of the construction of two (2) lighted baseball fields and one (1) lighted soccer field on approximately ten (10) acres, with a concession/restroom building, landscaping, walks, on-site parking, off-site improvements and utility work. The ten (10) acre park is located at the northwest corner of Bonanza and Sandhill.

The incremental annual operation, maintenance and utility costs related to this project are estimated to be \$94,000 annually.

RECOMMENDATION:

That the City Council preapprove the award of Bid Number 02.15341.07-LED, Bonanza-Sandhill Park to the lowest responsive and responsible or best bidder in the monetary range of \$1,700,000 to \$2,200,000 and approve a construction and contingency reserve set by Finance & Business Services.

BACKUP DOCUMENTATION:

Submitted after meeting: Bid Contract

MOTION:

REESE – APPROVED – UNANIMOUS with L.B. McDONALD excused

MINUTES:

MAYOR GOODMAN stated that during his briefing, there was a request to pull forward Items 21 [Sunflower Massage] and 22 [Bid Number 02.15341.07 LED]. COUNCILMAN REESE concurred.

CITY COUNCIL MEETING OF SEPTEMBER 18, 2002
Finance and Business Services
Item 22 – Pre-approval of Bid Number 02.15341.07-LED

MINUTES – Continued:

COUNCILMAN REESE expressed his appreciation to staff for fast tracking this item so that this project could go forward and be completed in a timely manner.

MARK VINCENT, Director of Finance and Business Services, remarked that this project encompasses two ball fields and a soccer field and it will also include a concession facility.

There was no further discussion.

(9:30 – 9:32)

1-823

AGENDA SUMMARY PAGE**CITY COUNCIL MEETING OF: SEPTEMBER 18, 2002****DEPARTMENT: FINANCE AND BUSINESS SERVICES****DIRECTOR: MARK R. VINCENT**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

Approval of award of Contract 030151, pre-negotiated discount pricing and maintenance for City-wide computer network equipment and professional services (KR) - Department of Information Technologies - Award recommended to: REDROCK COMMUNICATIONS SOLUTIONS, INC. (\$500,000 - City Facilities Capital Projects Fund and General Fund)

Fiscal Impact☐**No Impact****Amount:** \$500,000☒**Budget Funds Available****Dept./Division:** Information Technologies☐**Augmentation Required****Funding Source:** City Facilities CPF and General Fund**PURPOSE/BACKGROUND:**

This contract provides for pre-negotiated discount pricing for maintenance of existing City-wide computer networking equipment, & the purchase of additional computer network equipment & network infrastructure consulting services from October 1, 2002 through September 30, 2003, with three (3) one-year options with an estimated cost of \$500,000 per year.

This request is exempt from the competitive bidding procedures pursuant to NRS 332.115.1(g) hardware and associated peripheral equipment and devices for computers and NRS 332.115.1(b) professional services.

POC: David Propst - (702) 270-4329

RECOMMENDATION:

That City Council approve the award of Contract 030151 to Redrock Communications Solutions, Inc. from 10/1/02 to 9/30/03 w/3 one-year renewal options in amount not to exceed \$500,000 for the first year. Authority to execute contract on behalf of the City is given to Finance Director per R-145-2001.

BACKUP DOCUMENTATION:

Certificate - Disclosure of Ownership/Principals

Submitted after meeting: Contract - Volume Pricing and Professional Services

CITY COUNCIL MEETING OF SEPTEMBER 18, 2002
Finance and Business Services
Item 23

MOTION:

**REESE – Motion to APPROVE Item 3 through 20 and 23 through 61 – UNANIMOUS with
L.B. McDONALD excused**

Item 21 APPROVED subject to added conditions

Item 22 APPROVED
(see individual items)

MINUTES:

There was no related discussion.

(9:32 – 9:33)

1-865

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 18, 2002

DEPARTMENT: FINANCE AND BUSINESS SERVICES**DIRECTOR: MARK R. VINCENT**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

Approval of award of Bid Number 030009-DAR, Annual Requirements Contract for Fertilizers, Insecticides and Herbicides - Department of Field Operations - Award recommended to: EWING IRRIGATION PRODUCTS for Lot 1 and HELENA CHEMICAL CO. for Lots 2 & 3 (Estimated annual aggregate amount of \$425,000 - General Fund)

Fiscal Impact☐**No Impact****Amount:** \$425,000☒**Budget Funds Available****Dept./Division:** Field Operations/Parks☐**Augmentation Required****Funding Source:** General Fund**PURPOSE/BACKGROUND:**

This request will provide for an annual requirements contract for fertilizers, insecticides and herbicides used in the daily operations of parks maintenance.

POC: Pete Luna, Ewing Irrigation - (702) 459-9530

POC: Jeffery Eggen, Helena Chemical Co. - (702) 740-5320

RECOMMENDATION:

That City Council approve the award of Bid No. 030009-DAR, ARC for Fertilizers, Insecticides and Herbicides to Ewing Irrigation Products and Helena Chemical Co. from date of award through October 31, 2003, with four (4) one-year options to renew in the estimated aggregate annual amount of \$425,000.

BACKUP DOCUMENTATION:

None

MOTION:

REESE – Motion to APPROVE Item 3 through 20 and 23 through 61 – UNANIMOUS with L.B. McDONALD excused

Item 21 APPROVED subject to added conditions

Item 22 APPROVED
(see individual items)

MINUTES:

There was no related discussion.

(9:32 – 9:33)

1-865

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 18, 2002

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval to renew and increase Bid Number 000044-TG (JDF) - Laboratory Medical Testing - Various Departments - Award recommended to: AMERICAN MEDICAL LABORATORIES, INC. (Estimated Annual Amount of \$132,400 - General Fund)

Fiscal Impact

☐

No Impact

Amount: \$132,400

☒

Budget Funds Available

Dept./Division: Various

☐

Augmentation Required

Funding Source: General Fund

PURPOSE/BACKGROUND:

This request allows staff to combine all City department requirements to a Fire Services contract for laboratory medical testing into a single contract, thereby allowing greater efficiency and consistency.

POC: Nile Whitaker - (702) 733-7866, ext. 3484

RECOMMENDATION:

That City Council approve the renewal and increase of Bid Number 000044TG (JDF), Laboratory Medical Testing in the estimated annual amount of \$132,400 to Associated Medical Laboratories, Inc., with two (2) one-year renewal options remaining.

BACKUP DOCUMENTATION:

None

MOTION:

REESE – Motion to APPROVE Item 3 through 20 and 23 through 61 – UNANIMOUS with L.B. McDONALD excused

Item 21 APPROVED subject to added conditions

Item 22 APPROVED

(see individual items)

MINUTES:

There was no related discussion.

(9:32 – 9:33)

1-865

AGENDA SUMMARY PAGE**CITY COUNCIL MEETING OF: SEPTEMBER 18, 2002****DEPARTMENT: FINANCE AND BUSINESS SERVICES****DIRECTOR: MARK R. VINCENT**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

Approval of Contract Modification Number One to Bid Number 01.1762.01-RC, 2000/2001 Annual Concrete Replacement - Award recommended to: MIKON CONSTRUCTION CO., INC.
(\$56,684 - Capital Projects Fund) - All Wards

Fiscal Impact☐**No Impact****Amount:** \$56,684☒**Budget Funds Available****Dept./Division:** Field Operations☐**Augmentation Required****Funding Source:** Capital Projects Fund**PURPOSE/BACKGROUND:**

On May 16, 2001, the City Council awarded Bid Number 01.1762.01, 2000/2001 Annual Concrete Replacement to Mikon Construction Co., Inc. in the amount of \$1,800,000. This request is to provide additional funding required to cover expenses associated with the Oakey Boulevard infrastructure improvements that were not included in this current fiscal year's work plan. This request will raise the total contract amount to \$1,856,684.

RECOMMENDATION:

That City Council approve Contract Modification Number One to Bid Number 01.1762.01-RC, 2000/2001 Annual Concrete Replacement to Mikon Construction Co., Inc. in the amount of \$56,684. Authority to execute modification on behalf of the City is given to the Finance Director pursuant to R-145-2001.

BACKUP DOCUMENTATION:

Submitted after meeting: Contract Modification

MOTION:

REESE – Motion to APPROVE Item 3 through 20 and 23 through 61 – UNANIMOUS with L.B. McDONALD excused

Item 21 APPROVED subject to added conditions

Item 22 APPROVED
(see individual items)

MINUTES:

There was no related discussion.

(9:32 – 9:33)

1-865

AGENDA SUMMARY PAGE**CITY COUNCIL MEETING OF: SEPTEMBER 18, 2002****DEPARTMENT: FINANCE AND BUSINESS SERVICES****DIRECTOR: MARK R. VINCENT**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

Approval of Contract Modification Number One to Bid Number 01.1762.02-RC, 2000/2001 Annual Small Asphalt Patching - Award recommended to: MIKON CONSTRUCTION CO., INC.
(\$48,148 - Capital Projects Fund) - All Wards

Fiscal Impact☐**No Impact****Amount:** \$48,148☒**Budget Funds Available****Dept./Division:** Field Operations☐**Augmentation Required****Funding Source:** Capital Projects Fund**PURPOSE/BACKGROUND:**

On May 16, 2001, the City Council awarded Bid Number 01.1762.02, 2000/2001 Annual Small Asphalt Patching to Mikon Construction Co., Inc. in the amount of \$900,000. This request is to provide additional funding required to cover expenses associated with the Oakey Boulevard infrastructure improvements that were not included in this current fiscal year's work plan. This request will raise the total contract amount to \$948,148.

RECOMMENDATION:

That City Council approve Contract Modification Number One to Bid Number 01.1762.02-RC, 2000/2001 Annual Small Asphalt Patching to Mikon Construction Co., Inc. in the amount of \$48,148. Authority to execute modification on behalf of the City is given to the Finance Director pursuant to R-145-2001.

BACKUP DOCUMENTATION:

Submitted after meeting: Contract Modification

MOTION:

REESE – Motion to APPROVE Item 3 through 20 and 23 through 61 – UNANIMOUS with L.B. McDONALD excused

Item 21 APPROVED subject to added conditions

Item 22 APPROVED
(see individual items)

MINUTES:

There was no related discussion.

(9:32 – 9:33)

1-865

AGENDA SUMMARY PAGE**CITY COUNCIL MEETING OF: SEPTEMBER 18, 2002****DEPARTMENT: FINANCE AND BUSINESS SERVICES****DIRECTOR: MARK R. VINCENT**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

Approval of rescission of award and re-award of Bid Number 020035-DAR, Annual Requirements Contract for Pest Control - Department of Field Operations - Award recommended to: ALIAS THE BUG MAN (Estimated annual amount of \$35,000 - General Fund)

Fiscal Impact☐**No Impact****Amount:** \$35,000☒**Budget Funds Available****Dept./Division:** Field Operations☐**Augmentation Required****Funding Source:** General Fund**PURPOSE/BACKGROUND:**

On February 20, 2002, City Council awarded Bid Number 020035-DAR, Annual Requirements Contract for Pest Control to Eliminate Pest Control. Since the award date, staff has had numerous complaints related to non-performance. Staff met with Eliminate Pest Control on July 25, 2002 and placed them on 30-day notice of possible cancellation if performance did not improve. Eliminate Pest Control did not correct its deficiencies; therefore, their contract will be terminated and award will be made to the next low bidder.

POC: Bradley Canfield - (702) 395-9039

RECOMMENDATION:

That the City Council rescind the award to Eliminate Pest Control and approve the re-award of Bid Number 020035-DAR, Annual Requirements Contract for Pest Control to Alias the Bug Man in the estimated annual amount of \$35,000, with four (4) one-year options to renew.

BACKUP DOCUMENTATION:

None

MOTION:

REESE – Motion to APPROVE Item 3 through 20 and 23 through 61 – UNANIMOUS with L.B. McDONALD excused

Item 21 APPROVED subject to added conditions

Item 22 APPROVED
(see individual items)

MINUTES:

There was no related discussion.

(9:32 – 9:33)

1-865

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 18, 2002

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of issuance of a purchase order for the installation and one-year operation and maintenance of three new ADFM Velocity Flow Meters (TB) - Department of Public Works - Award recommended to: MGD TECHNOLOGIES INC. (\$94,200 - Sanitation Fund)

Fiscal Impact

☐

No Impact

Amount: \$94,200

☒

Budget Funds Available

Dept./Division: Public Works

☐

Augmentation Required

Funding Source: Sanitation Fund

PURPOSE/BACKGROUND:

This request will provide for the installation and one-year operation and maintenance of three new velocity flow meters in the collection system.

This requirement is exempt from the competitive bidding procedures pursuant to NRS 332.115.1(a), items which may only be contracted from a sole source.

POC: Gary Skipper - (702) 894-4551

RECOMMENDATION:

That the City Council approve the issuance of a purchase order for the installation and one-year operation and maintenance of three velocity flow meters to MGD Technologies. in the amount of \$94,200.

BACKUP DOCUMENTATION:

None

MOTION:

REESE – Motion to APPROVE Item 3 through 20 and 23 through 61 – UNANIMOUS with L.B. McDONALD excused

Item 21 APPROVED subject to added conditions

Item 22 APPROVED
(see individual items)

MINUTES:

There was no related discussion.

(9:32 – 9:33)

1-865

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 18, 2002

DEPARTMENT: FINANCE AND BUSINESS SERVICES**DIRECTOR: MARK R. VINCENT**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

Approval of Supplemental Schedule Order with Unisys Corporation providing for support services (\$31,608 - General Fund)

Fiscal Impact☐**No Impact****Amount:** \$31,608☒**Budget Funds Available****Dept./Division:** Information Technologies☐**Augmentation Required****Funding Source:** General Fund**PURPOSE/BACKGROUND:**

On July 3, 2002, the City Council approved the purchase of additional hardware, software and services from Unisys Corporation. However, the Supplemental Schedule Order which provided for maintenance services in connection with the purchase of the additional hardware and software was inadvertently omitted from the purchase. The funding for this contract was previously approved as part of the expenditure approved by the City Council on July 3, 2002 in connection with the lease payments to be made to Unisys Leasing Corporation (Agenda Item 44)

RECOMMENDATION:

The City Council approve the execution of the Supplemental Schedule Order attached hereto.

BACKUP DOCUMENTATION:

Support Services Schedule, Schedule Order and Addendum

MOTION:

REESE – Motion to APPROVE Item 3 through 20 and 23 through 61 – UNANIMOUS with L.B. McDONALD excused

Item 21 APPROVED subject to added conditions

Item 22 APPROVED
(see individual items)

MINUTES:

There was no related discussion.

(9:32 – 9:33)

1-865

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 18, 2002

DEPARTMENT: NEIGHBORHOOD SERVICES**DIRECTOR: SHARON SEGERBLOM**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

Approval of expending an additional \$2,075 of FY 2001-2002 Home Investment Partnership (HOME) funds for housing rehabilitation activities at 6136 Cromwell Avenue, Vedia Alexander, owner - Ward 1 (M. McDonald)

Fiscal Impact☐**No Impact****Amount:** \$2,075☒**Budget Funds Available****Dept./Division:** Neigh. Svcs./Neigh. Devel.☐**Augmentation Required****Funding Source:** HOME**PURPOSE/BACKGROUND:**

This housing rehabilitation project was approved in the amount of \$30,000 by City Council on July 3, 2002. \$30,000 is the project limit set forth by the Neighborhood Services Department Single Family Housing Rehab Program guidelines. Additional plumbing and electrical problems were discovered during the rehab process that need to be addressed for a building final approval. Breakaway safety bars on the children's bedroom window are also being requested.

RECOMMENDATION:

The City Manager recommends that the City Council approve the request for additional funding for project completion.

BACKUP DOCUMENTATION:

None

MOTION:

REESE – Motion to APPROVE Item 3 through 20 and 23 through 61 – UNANIMOUS with L.B. McDONALD excused

Item 21 APPROVED subject to added conditions

Item 22 APPROVED

(see individual items)

MINUTES:

There was no related discussion.

(9:32 – 9:33)

1-865

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 18, 2002

DEPARTMENT: NEIGHBORHOOD SERVICES**DIRECTOR: SHARON SEGERBLOM** ☒ **CONSENT** ☐ **DISCUSSION****SUBJECT:**

Approval of an allocation of \$300,000 in FY 2002 Home Investment Partnership (HOME) funds from the Clark County Consortium in increments of \$150,000 each to Economic Opportunity Board and Women's Development Center to operate Homebuyer Assistance Program - All Wards

Fiscal Impact

<input type="checkbox"/>	No Impact	Amount: \$300,000
<input checked="" type="checkbox"/>	Budget Funds Available	Dept./Division: Neigh. Svcs./Neigh. Devel.
<input type="checkbox"/>	Augmentation Required	Funding Source: HOME

PURPOSE/BACKGROUND:

The city of Las Vegas through an RFP process has determined that the Economic Opportunity Board and Women's Development Center are eligible and qualified to receive HOME funds for the purpose of providing down payment assistance and eligible closing costs to income-qualified homebuyers.

RECOMMENDATION:

The City Manager recommends that the City Council approve the funding and authorizes the Mayor to execute the Agreements with the subrecipients after they have been approved by the City Attorney and that Neighborhood Services Department provide a mid-year report on this program.

BACKUP DOCUMENTATION:

Submitted after meeting: Agreements with Economic Opportunity Board and Women's Development Center

MOTION:

REESE – Motion to APPROVE Item 3 through 20 and 23 through 61 – UNANIMOUS with L.B. McDONALD excused

Item 21 APPROVED subject to added conditions

Item 22 APPROVED
(see individual items)

MINUTES:

There was no related discussion.

(9:32 – 9:33)

1-865

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 18, 2002

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of an agreement between the City of Las Vegas and the Nevada Historic Preservation Office for the purpose of undertaking historic preservation activities, including a survey and inventory of historic properties (\$45,000 revenue - grant source) - Wards 1, 3 and 5 (M. McDonald, Reese, and Weekly)

Fiscal Impact

☒

No Impact

Amount: \$45,000 - Grant Revenue

☐

Budget Funds Available

Dept./Division: Planning and Development

☐

Augmentation Required

Funding Source: Certified Local Government Grant, NV State Historic Preservation Off., National Park Service

PURPOSE/BACKGROUND:

As part of its ongoing historic preservation efforts, the Historic Preservation Commission applied for, and has been awarded, a grant for \$45,000 from the Nevada State Historic Preservation Office under the Certified Local Government program. The grant monies will be used to fund the following work: 1) continue survey and inventory efforts begun in 2001, 2) conduct an intensive level survey and draft at least one National Register nomination for an historic property or district. This proposal has been reviewed and approved by the City of Las Vegas Grant Committee. No cash funds from the city of Las Vegas budget are required. Required match for the grant will be provided by in-kind services from Planning and Development Services staff and members of the Historic Preservation Commission.

RECOMMENDATION:

Approval

BACKUP DOCUMENTATION:

1. Grant Application dated 11/19/2001
2. Historic Properties Funding Agreement

MOTION:

REESE – Motion to APPROVE Item 3 through 20 and 23 through 61 – UNANIMOUS with L.B. McDONALD excused

Item 21 APPROVED subject to added conditions

Item 22 APPROVED
 (see individual items)

There was no related discussion.

(9:32 – 9:33)

1-865

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 18, 2002

DEPARTMENT: PUBLIC WORKS

DIRECTOR: RICHARD D. GOECKE

☒

CONSENT

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DISCUSSION

SUBJECT:

Approval to file a Right-of-Way Grant with the Bureau of Land Management for road, sewer and drainage purposes on portions of land lying within the Northeast Quarter (NE¼) of Section 18, Township 19 South, Range 60 East, M.D.M., generally located on Tee Pee Lane from the Farm Road alignment to the Gilcrease Avenue alignment – APN 125-18-601-001 – Ward 6 (Mack)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division: Public Works/City Engineer

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

RECOMMENDATION:

Approval

BACKUP DOCUMENTATION:

None

MOTION:

REESE – Motion to APPROVE Item 3 through 20 and 23 through 61 – UNANIMOUS with L.B. McDONALD excused

Item 21 APPROVED subject to added conditions

Item 22 APPROVED

(see individual items)

MINUTES:

There was no related discussion.

(9:32 – 9:33)

1-865

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 18, 2002

DEPARTMENT: PUBLIC WORKS

DIRECTOR: RICHARD D. GOECKE

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of a Dedication from the City of Las Vegas a Municipal Corporation, for a portion of the Northeast Quarter (NE 1/4) of Section 32, T20S, R61E, M.D.M., for rights-of-way located on Alta Drive and Park Way South, between Rancho Drive and Tonopah Drive 139-32-610-021, 022, 043 and 044 - Ward 1 (M. McDonald)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division: Public Works/City Engineer

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

RECOMMENDATION:

Approval

BACKUP DOCUMENTATION:

None

MOTION:

REESE – Motion to APPROVE Item 3 through 20 and 23 through 61 – UNANIMOUS with L.B. McDONALD excused

Item 21 APPROVED subject to added conditions

Item 22 APPROVED

(see individual items)

MINUTES:

There was no related discussion.

(9:32 – 9:33)

1-865

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 18, 2002

DEPARTMENT: PUBLIC WORKS

DIRECTOR: RICHARD D. GOECKE

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of Supplemental Interlocal Contract #290a between the City of Las Vegas, Clark County and the Regional Transportation Commission of Southern Nevada to revise the scope of work for Torrey Pines Drive, Washington Avenue, Craig Road to Torrey Pines Drive, and Washington Avenue to Cheyenne Avenue - Ward 6 (Mack)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division: Public Works/City Engineer

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

This Supplemental Interlocal Contract #290a changes the scope of the project from Torrey Pines, Washington Avenue, Craig Road to Torrey Pines Drive, and Washington Avenue to Cheyenne Avenue. Clark County approved this contract on August 6, 2002 and RTC's Board approved at their July 11, 2002 meeting. Total cost for this contract shall not exceed \$500,000.

RECOMMENDATION:

Approval

BACKUP DOCUMENTATION:

Supplemental Interlocal Contract #290a

MOTION:

REESE – Motion to APPROVE Item 3 through 20 and 23 through 61 – UNANIMOUS with L.B. McDONALD excused

Item 21 APPROVED subject to added conditions

Item 22 APPROVED
(see individual items)

MINUTES:

There was no related discussion.

(9:32 – 9:33)

1-865

0AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 18, 2002

DEPARTMENT: PUBLIC WORKS**DIRECTOR: RICHARD D. GOECKE**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

Approval of a Second Supplemental Interlocal Contract #295b between the City of Las Vegas, Clark County and the Regional Transportation Commission of Southern Nevada for Durango/El Capitan, Lone Mountain Road to US-95 to increase project funding (\$150,000 - Regional Transportation Commission of Southern Nevada) - Ward 6 (Mack)

Fiscal Impact☐**No Impact****Amount:** \$150,000☒**Budget Funds Available****Dept./Division:** Public Works/City Engineer☐**Augmentation Required****Funding Source:** RTC**PURPOSE/BACKGROUND:**

This Second Supplemental Interlocal Contract #295b will increase engineering design \$150,000 and revise the Authorization to Proceed for the project. Clark County approved this contract on August 6, 2002 and RTC's Board approved at their July 11, 2002 meeting. Total cost for this contract shall not exceed \$12,152,000.

RECOMMENDATION:

Approval

BACKUP DOCUMENTATION:

Second Supplemental Interlocal Contract #295b

MOTION:

REESE – Motion to APPROVE Item 3 through 20 and 23 through 61 – UNANIMOUS with L.B. McDONALD excused

Item 21 APPROVED subject to added conditions

Item 22 APPROVED
(see individual items)

MINUTES:

There was no related discussion.

(9:32 – 9:33)

1-865

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 18, 2002

DEPARTMENT: PUBLIC WORKS**DIRECTOR: RICHARD D. GOECKE**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

Approval of Supplemental Interlocal Contract #337a between the City of Las Vegas and the Regional Transportation Commission of Southern Nevada for Rainbow Boulevard, Silverstream Avenue to Lone Mountain Road to increase total project funding, encumber funding for construction and extend the date of completion (\$3,493,000 - Regional Transportation Commission of Southern Nevada) - Ward 6 (Mack)

Fiscal Impact☐**No Impact****Amount:** \$3,493,000☒**Budget Funds Available****Dept./Division:** Public Works/City Engineer☐**Augmentation Required****Funding Source:** RTC**PURPOSE/BACKGROUND:**

This Supplemental Interlocal Contract #337a will increase total project funding, encumber funding for construction and extend the date of completion for Rainbow Boulevard, Silverstream Avenue to Lone Mountain Road. The RTC Board of Directors approved this contract at their August 8, 2002 meeting. Total cost for this project shall not exceed \$4,830,000.

RECOMMENDATION:

Approval

BACKUP DOCUMENTATION:

Supplemental Interlocal Contract #337a

MOTION:

REESE – Motion to APPROVE Item 3 through 20 and 23 through 61 – UNANIMOUS with L.B. McDONALD excused

Item 21 APPROVED subject to added conditions

Item 22 APPROVED

(see individual items)

CITY COUNCIL MEETING OF SEPTEMBER 18, 2002

Finance and Business Services

Item 38 – Approval of Supplemental Interlocal Contract #337a

MOTION – Continued:

NOTE: COUNCILMAN MACK disclosed that several items involve properties that are in close proximity to businesses owned by family or clients of Kubik Advertising to which he is affiliated. Item 9 is located near property owned by Dennis Bedford who is a client of Kubik Advertising. Item 12 is located near another Kubik Advertising client, Becker Gaming, and his brother-in-law, Andrew Donner, owns Timbers Bar and Grill in the same vicinity. Relating to Item 21, his brother, Steven Mack, owns a SuperPawn located in that vicinity. Items 38, 40 and 41 all pertain to construction on portions of Rainbow, where his brother-in-law, Andrew Donner, owns the Timbers Bar and Grill. COUNCILMAN MACK stated that he has never discussed any of these items with any of these people and doesn't believe that there would be any impact on their businesses, so he would be voting on these items.

MINUTES:

There was no further related discussion.

(9:32 – 9:33)

1-865

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 18, 2002

DEPARTMENT: PUBLIC WORKS

DIRECTOR: RICHARD D. GOECKE

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of Interlocal Contract #421 between the City of Las Vegas and the Regional Transportation Commission of Southern Nevada for design of Washington Avenue, Durango Drive to Buffalo Drive (\$250,000 - Regional Transportation Commission of Southern Nevada) - Ward 2 (L.B. McDonald)

Fiscal Impact

☐

No Impact

Amount: \$250,000

☒

Budget Funds Available

Dept./Division: Public Works/City Engineer

☐

Augmentation Required

Funding Source: RTC

PURPOSE/BACKGROUND:

This Interlocal Contract provides funding for design and right-of-way engineering for Washington Avenue, Durango Drive to Buffalo Drive. The RTC Board of Directors approved this contract at their August 8, 2002 meeting. Total cost for this project shall not exceed \$3,000,000.

RECOMMENDATION:

Approval

BACKUP DOCUMENTATION:

Interlocal Contract #421

MOTION:

REESE – Motion to APPROVE Item 3 through 20 and 23 through 61 – UNANIMOUS with L.B. McDONALD excused

Item 21 APPROVED subject to added conditions

Item 22 APPROVED

(see individual items)

MINUTES:

There was no related discussion.

(9:32 – 9:33)

1-865

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 18, 2002

DEPARTMENT: PUBLIC WORKS**DIRECTOR: RICHARD D. GOECKE**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

Approval of a Cooperative Agreement Fund 436 Bond (ref. IC #337a) between the City of Las Vegas, Clark County and the Regional Transportation Commission of Southern Nevada for construction of Rainbow Boulevard, Silverstream Avenue to Lone Mountain Road (\$1,298,573 - Regional Transportation Commission of Southern Nevada) - Ward 6 (Mack)

Fiscal Impact☐**No Impact****Amount:** \$1,298,573☒**Budget Funds Available****Dept./Division:** Public Works/City Engineer☐**Augmentation Required****Funding Source:** RTC**PURPOSE/BACKGROUND:**

This Cooperative Agreement will provide 436 Bond funds for construction of Rainbow Boulevard, Silverstream Avenue to Lone Mountain Road. RTC's Board approved this agreement at their August 8, 2002 meeting. Total cost for this contract shall not exceed \$1,298,573.

RECOMMENDATION:

Approval

BACKUP DOCUMENTATION:

Cooperative Agreement Fund 436 Bond (ref. IC #337a)

MOTION:

REESE – Motion to APPROVE Item 3 through 20 and 23 through 61 – UNANIMOUS with L.B. McDONALD excused

Item 21 APPROVED subject to added conditions

Item 22 APPROVED
(see individual items)

NOTE: COUNCILMAN MACK disclosed that several items involve properties that are in close proximity to businesses owned by family or clients of Kubik Advertising to which he is affiliated. Item 9 is located near property owned by Dennis Bedford who is a client of Kubik Advertising. Item 12 is located near another Kubik Advertising client, Becker Gaming, and his brother-in-law, Andrew Donner, owns Timbers Bar and Grill in the same vicinity. Relating to Item 21, his brother, Steven Mack, owns a SuperPawn located in that vicinity. Items 38, 40 and 41 all pertain to construction on portions of Rainbow, where his brother-in-law, Andrew Donner, owns the Timbers Bar and Grill. COUNCILMAN MACK stated that he has never discussed any of these items with any of these people and doesn't believe that there would be any impact on their businesses, so he would be voting on these items.

CITY COUNCIL MEETING OF SEPTEMBER 18, 2002

Finance and Business Services

Item 40 – Approval of a Cooperative Agreement Fund 436 Bond (1C#337a)

MOTION – Continued:

discussed any of these items with any of these people and doesn't believe that there would be any impact on their businesses, so he would be voting on these items.

MINUTES:

There was no further related discussion.

(9:32 – 9:33)

1-865

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 18, 2002

DEPARTMENT: PUBLIC WORKS**DIRECTOR: RICHARD D. GOECKE**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

Approval of an Interlocal Contract to Fund NRS 384.59815 between the City of Las Vegas and the Regional Transportation Commission of Southern Nevada for the Transportation Improvement Bond Project, Rainbow Boulevard, Silverstream Avenue to Lone Mountain Road construction (\$900,427 - Regional Transportation Commission of Southern Nevada) - Ward 6 (Mack)

Fiscal Impact☐**No Impact****Amount:** \$900,427☒**Budget Funds Available****Dept./Division:** Public Works/City Engineer☐**Augmentation Required****Funding Source:** RTC**PURPOSE/BACKGROUND:**

This Interlocal Contract provides additional funding for construction of Rainbow Boulevard, Silverstream Avenue to Lone Mountain Road. The RTC Board of Directors approved this contract at their August 8, 2002 meeting. Total cost for this contract shall not exceed \$900,427.

RECOMMENDATION:

Approval

BACKUP DOCUMENTATION:

Interlocal Contract to Fund NRS 384.59815

MOTION:

REESE – Motion to APPROVE Item 3 through 20 and 23 through 61 – UNANIMOUS with L.B. McDONALD excused

Item 21 APPROVED subject to added conditions

Item 22 APPROVED
(see individual items)

NOTE: COUNCILMAN MACK disclosed that several items involve properties that are in close proximity to businesses owned by family or clients of Kubik Advertising to which he is affiliated. Item 9 is located near property owned by Dennis Bedford who is a client of Kubik Advertising. Item 12 is located near another Kubik Advertising client, Becker Gaming, and his brother-in-law, Andrew Donner, owns Timbers Bar and Grill in the same vicinity. Relating to Item 21, his brother, Steven Mack, owns a SuperPawn located in that vicinity. Items 38, 40 and 41 all pertain to construction on portions of Rainbow, where his brother-in-law, Andrew Donner, owns the Timbers Bar and Grill. COUNCILMAN MACK stated that he has never discussed any of these items with any of these people and doesn't believe that there would be any impact on their businesses, so he would be voting .

CITY COUNCIL MEETING OF SEPTEMBER 18, 2002

Finance and Business Services

Item 41 – Approval of an Interlocal Contract to Fund HRS 384.59815

MOTION – Continued:

on these items discussed any of these items with any of these people and doesn't believe that there would be any impact on their businesses, so he would be voting on these items.

There was no further related discussion.

(9:32 – 9:33)

1-865

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 18, 2002

DEPARTMENT: PUBLIC WORKS**DIRECTOR: RICHARD D. GOECKE**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

Approval of a Sanitary Sewer refunding Agreement with Spinnaker Homes V, LLC for Spinnaker at Towncenter I - Unit 1 (\$52,778 - Sanitation Funds) - Ward 6 (Mack)

Fiscal Impact☐**No Impact****Amount:** \$52,778☒**Budget Funds Available****Dept./Division:** Public Works/City Engineer☐**Augmentation Required****Funding Source:** Sanitation Fund**PURPOSE/BACKGROUND:**

The Spinnaker Homes V, LLC is developing property known as "Spinnaker at Towncenter I - Unit 1". This Sewer Refunding Agreement provides for over-sizing costs for the sewer in El Capitan Way from near Rome Boulevard to Dorrell Lane. This agreement also includes \$116,043.93 in extension costs from future reimbursable connection fees. The basis for the over-sizing and extension costs are explained on the attached Exhibit "B". This agreement will reimburse the developer for oversizing in the amount of \$52,778.00.

RECOMMENDATION:

Approval

BACKUP DOCUMENTATION:

Sewer Refunding Agreement

MOTION:

REESE – Motion to APPROVE Item 3 through 20 and 23 through 61 – UNANIMOUS with L.B. McDONALD excused

Item 21 APPROVED subject to added conditions

Item 22 APPROVED
(see individual items)

MINUTES:

There was no related discussion.

(9:32 – 9:33)

1-865

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 18, 2002

DEPARTMENT: PUBLIC WORKS

DIRECTOR: RICHARD D. GOECKE

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of a First Amendment to Professional Services Agreement with G.C. Wallace, Inc. for professional services related to the completion of the design of Buffalo Drive Improvements Project, Cheyenne Avenue to Lone Mountain Road (\$71,516 - Regional Transportation Commission Funds/City Special Improvement District Funds/County Special Improvement District Funds/Sanitation Funds/Regional Flood Control District Funds) - Ward 4 (Brown)

Fiscal Impact

☐

No Impact

Amount: \$71,516

☒

Budget Funds Available

Dept./Division: Public Works/City Engineer

☐

Augmentation Required

Funding Source: RTC/CLV SID/CC
SID/CCRFGD/Sanitation

PURPOSE/BACKGROUND:

The City desires to complete the design of approximately two miles of roadway improvements to Buffalo Drive between Cheyenne Avenue and Lone Mountain Road. The cost associated with this amendment to the engineering design services agreement is \$71,516.

RECOMMENDATION:

Approval

BACKUP DOCUMENTATION:

First Amendment to Professional Services Agreement

MOTION:

REESE – Motion to APPROVE Item 3 through 20 and 23 through 61 – UNANIMOUS with L.B. McDONALD excused

Item 21 APPROVED subject to added conditions

Item 22 APPROVED

(see individual items)

MINUTES:

There was no related discussion.

(9:32 – 9:33)

1-865

AGENDA SUMMARY PAGE**CITY COUNCIL MEETING OF: SEPTEMBER 18, 2002****DEPARTMENT: PUBLIC WORKS****DIRECTOR: RICHARD D. GOECKE**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

Approval of an Engineering Design Services Agreement with Montgomery Watson Harza for professional engineering services related to the City's Unlined Reinforced Concrete Pipe Evaluation and Rehabilitation Program, Phase 2 (\$458,396.50 - Sanitation Funds) - Wards 1, 3, 5 and 6 (M. McDonald, Reese, Weekly and Mack)

Fiscal Impact☐**No Impact****Amount:** \$458,396.50☒**Budget Funds Available****Dept./Division:** Public Works/City Engineer☐**Augmentation Required****Funding Source:** Sanitation Funds**PURPOSE/BACKGROUND:**

The City desires to evaluate approximately 103,300 lineal feet of older existing, large diameter unlined RCP sanitary sewer lines for indications of erosion, deterioration and infiltration, and to determine rehabilitation methods, costs and priorities. This evaluation is intended to locate areas of potentially hazardous pipe deterioration and to correct these situations prior to failure of the pipelines. The cost associated with this agreement is \$458,396.50.

RECOMMENDATION:

Approval

BACKUP DOCUMENTATION:

Engineering Design Services Agreement

MOTION:

REESE – Motion to APPROVE Item 3 through 20 and 23 through 61 – UNANIMOUS with L.B. McDONALD excused

Item 21 APPROVED subject to added conditions

Item 22 APPROVED

(see individual items)

MINUTES:

There was no related discussion.

(9:32 – 9:33)

1-865

AGENDA SUMMARY PAGE**CITY COUNCIL MEETING OF: SEPTEMBER 18, 2002**

DEPARTMENT: PUBLIC WORKS**DIRECTOR: RICHARD D. GOECKE**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

Approval of Interlocal Agreement #108384 with the Las Vegas Valley Water District for the funding of the constuction and contract administration for the Las Vegas Valley Water District facilities that will be constructed in conjunction with the Buffalo Drive Road Improvements Project from Cheyenne Avenue to Lone Mountain Road (\$30,000 - Las Vegas Valley Water District Funds) - Ward 4 (Brown)

Fiscal Impact☐**No Impact****Amount:** \$30,000☒**Budget Funds Available****Dept./Division:** Public Works/City Engineer☐**Augmentation Required****Funding Source:** LVVWD**PURPOSE/BACKGROUND:**

This interlocal agreement will provide funding for the construction and contract administration of the following facilities: a well discharge pipeline that will connect to the storm drain system, and three (3) new fire hydrants. The well discharge pipeline will eliminate the hazardous practice of discharging test waters into the streets during flow testing of LVVWD wells. The total cost of this work is estimated at \$30,000.

RECOMMENDATION:

Approval

BACKUP DOCUMENTATION:

Interlocal Agreement #108384

MOTION:

REESE – Motion to APPROVE Item 3 through 20 and 23 through 61 – UNANIMOUS with L.B. McDONALD excused

Item 21 APPROVED subject to added conditions

Item 22 APPROVED

(see individual items)

MINUTES:

There was no related discussion.

(9:32 – 9:33)

1-865

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: SEPTEMBER 18, 2002

DEPARTMENT: PUBLIC WORKS

DIRECTOR: RICHARD D. GOECKE

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of a Fourth Amendment to Professional Services Agreement with Parsons Brinckerhoff Quade & Douglas, Inc. for professional services related to the continuation of engineering services in support of the construction of the I-15 Freeway Channel Project (\$130,569 - Clark County Regional Flood Control District) - Wards 1, 3 and 5 (M. McDonald, Reese and Weekly)

Fiscal Impact

☐

No Impact

Amount: \$130,569

☒

Budget Funds Available

Dept./Division: Public Works/City Engineer

☐

Augmentation Required

Funding Source: CCRFCD

PURPOSE/BACKGROUND:

The City desires to complete the construction of the I-15 Freeway Channel and to have the design engineer continue to provide construction support services throughout this period. The cost associated with this amendment to the Engineering Design Services Agreement is \$130,569.

RECOMMENDATION:

Approval

BACKUP DOCUMENTATION:

Fourth Amendment to Professional Services Agreement

MOTION:

REESE – Motion to APPROVE Item 3 through 20 and 23 through 61 – UNANIMOUS with L.B. McDONALD excused

Item 21 APPROVED subject to added conditions

Item 22 APPROVED
(see individual items)

MINUTES:

There was no related discussion.

(9:32 – 9:33)

1-865

AGENDA SUMMARY PAGE**CITY COUNCIL MEETING OF: SEPTEMBER 18, 2002**

DEPARTMENT: PUBLIC WORKS**DIRECTOR: RICHARD D. GOECKE**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

Approval of a Sewer Connection and Interlocal Contract with Clark County Sanitation District - Westpoint Development Group, Inc. on behalf of Cecil E. Huston and Sharon Huston, owners (northeast corner of Brent Lane and Olson Street, APN 125-08-507-003) - County (near Ward 6 - Mack)

Fiscal Impact☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:** Public Works Engineer☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

This request is to connect two single family dwellings located at the northeast corner of Brent Lane and Olson Street. The owners propose to connect to an 8" sewer line located in Brent Lane. The Planning Department has determined the project does conform to the City's General Plan for the area; there is sufficient capacity in the City Sanitary Sewer. The applicants have signed a "Sewer Connection Agreement". This property is within the Clark County Interlocal Annexation Exceptions area and cannot be annexed to the City.

RECOMMENDATION:

Public Works recommends approval subject to conformance with all City codes and departmental standards and off-site improvements.

BACKUP DOCUMENTATION:

Agenda memo

Submitted after meeting: Interlocal Contract

MOTION:

REESE – Motion to APPROVE Item 3 through 20 and 23 through 61 – UNANIMOUS with L.B. McDONALD excused

Item 21 APPROVED subject to added conditions

Item 22 APPROVED

(see individual items)

MINUTES:

There was no related discussion.

(9:32 – 9:33)

1-865

AGENDA SUMMARY PAGE**CITY COUNCIL MEETING OF: SEPTEMBER 18, 2002**

DEPARTMENT: PUBLIC WORKS**DIRECTOR: RICHARD D. GOECKE**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

Approval of a Sewer Connection and Interlocal Contract with Clark County Sanitation District - Red Rock Engineering and Surveying, Inc. on behalf of Pacific Ocean Management, LLC, owners (northeast corner of Deer Springs Way and Tenaya Way, APN 125-22-601-006) - County (near Ward 6 - Mack)

Fiscal Impact☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:** Public Works/City Engineer☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

This request is to connect 8 single family dwellings located at the northeast corner of Deer Springs Way and Tenaya Way. The owners propose to connect to an existing 8" sewer line located in Deer Springs Way. The Planning Department has determined the project does conform to the City's General Plan for the area; there is sufficient capacity in the City Sanitary Sewer. The applicants have signed a "Sewer Connection Agreement". This property is within the Clark County Interlocal Annexation Exceptions area and cannot be annexed to the City.

RECOMMENDATION:

Public Works recommends approval subject to conformance with all City codes and departmental standards and off-site improvements.

BACKUP DOCUMENTATION:

Agenda memo

Submitted after meeting: Interlocal Contract

MOTION:

REESE – Motion to APPROVE Item 3 through 20 and 23 through 61 – UNANIMOUS with L.B. McDONALD excused

Item 21 APPROVED subject to added conditions

Item 22 APPROVED

(see individual items)

MINUTES:

There was no related discussion.

(9:32 – 9:33)

1-865

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 18, 2002

DEPARTMENT: PUBLIC WORKS**DIRECTOR: RICHARD D. GOECKE**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

Approval of an Encroachment Request from Pardee Homes of Nevada and Santee, LLC, owners (northeast corner of Tee Pee Lane and Deer Springs Way) - Ward 6 (Mack)

Fiscal Impact☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:** Public Works/City Engineer☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

The encroachment consists of landscaping along the east side of Tee Pee Lane between Deer Springs Way and Dorrell Lane, along the north side of Deer Springs Way extending 613' eastward from Tee Pee Lane, and along the south side of Dorrell Lane extending 577' eastward from Tee Pee Lane consisting of trees, shrubs, and an irrigation system to meet requirements of the Town Center Development Standards for the proposed Town Center Assemblage 55 #1 development. If approved, the applicant will be required to sign an Encroachment Agreement which has conditions of maintenance, liability, and removal.

RECOMMENDATION:

Approval

BACKUP DOCUMENTATION:

1. Copy of Encroachment Exhibit "A" (northeast corner of Tee Pee Lane and Deer Springs Way)
2. Copy of Encroachment Exhibit "B" (southeast corner of Tee Pee Lane and Dorrell Lane)

MOTION:

REESE – Motion to APPROVE Item 3 through 20 and 23 through 61 – UNANIMOUS with L.B. McDONALD excused

Item 21 APPROVED subject to added conditions

Item 22 APPROVED
(see individual items)

MINUTES:

There was no related discussion.

(9:32 – 9:33)

1-865

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 18, 2002

DEPARTMENT: PUBLIC WORKS

DIRECTOR: RICHARD D. GOECKE

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of an Encroachment Request from KB Home Nevada, Incorporated, owner (southeast corner of Alexander Road and El Capitan Way) - Ward 4 (Brown)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division: Public Works/City Engineer

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

The encroachment will consist of landscaping at the southeast corner of Alexander Road and El Capitan Way consisting of gravel and shrubs to satisfy a condition of Z-0103-01 for the proposed Lone Mountain Springs development. If approved, the applicant will be required to sign an Encroachment Agreement which has conditions of maintenance, liability, and removal.

RECOMMENDATION:

Approval

BACKUP DOCUMENTATION:

Copy of Encroachment Exhibit "A" (southeast corner of Alexander Road and El Capitan Way)

MOTION:

REESE – Motion to APPROVE Item 3 through 20 and 23 through 61 – UNANIMOUS with L.B. McDONALD excused

Item 21 APPROVED subject to added conditions

Item 22 APPROVED

(see individual items)

MINUTES:

There was no related discussion.

(9:32 – 9:33)

1-865

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 18, 2002

DEPARTMENT: PUBLIC WORKS**DIRECTOR: RICHARD D. GOECKE**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

Approval of an Encroachment Request from KB Home, Nevada, Incorporated, owner (southeast corner of Pioneer Way and Craig Road) - Ward 4 (Brown)

Fiscal Impact☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:** Public Works/City Engineer☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

The encroachments will consist of landscaping on the east side of Pioneer Way extending approximately 600' southward from Craig Road consisting of trees, shrubs, gravel, and an irrigation system. There will also be landscaping at the southwest corner of Craig Road and Tenaya Way and at the northwest corner of Tenaya Way and Alexander Road consisting of gravel and shrubs for the Mayfield subdivision. If approved, the applicant will be required to sign an Encroachment Agreement which has conditions of maintenance, liability, and removal.

RECOMMENDATION:

Approval

BACKUP DOCUMENTATION:

1. Copy of Encroachment Exhibit "A" (northwest corner of Tenaya Way and Alexander Road)
2. Copy of Encroachment Exhibit "B" (southeast corner of Pioneer Way and Craig Road)

MOTION:

REESE – Motion to APPROVE Item 3 through 20 and 23 through 61 – UNANIMOUS with L.B. McDONALD excused

Item 21 APPROVED subject to added conditions

Item 22 APPROVED

(see individual items)

MINUTES:

There was no related discussion.

(9:32 – 9:33)

1-865

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 18, 2002

DEPARTMENT: PUBLIC WORKS

DIRECTOR: RICHARD D. GOECKE

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of an Encroachment Request from Aztec Engineering on behalf of Frank L. and Therese M. Napolitani, owners (610 South Seventh Street) - Ward 5 (Weekly)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division: Public Works/City Engineer

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

The existing encroachment consists of an approximate 3' wide area of landscaping on the westside of the sidewalk and an approximate 7' area of landscaping on the eastside of the sidewalk adjacent to the property line at 610 South Seventh Street for the Triad Professional Adjusters office building. If approved, the applicant will be required to sign an Encroachment Agreement which has conditions of maintenance, liability, and removal.

RECOMMENDATION:

Approval

BACKUP DOCUMENTATION:

Copy of Encroachment Exhibit "A" (610 South Seventh Street)

MOTION:

REESE – Motion to APPROVE Item 3 through 20 and 23 through 61 – UNANIMOUS with L.B. McDONALD excused

Item 21 APPROVED subject to added conditions

Item 22 APPROVED

(see individual items)

MINUTES:

There was no related discussion.

(9:32 – 9:33)

1-865

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 18, 2002

DEPARTMENT: PUBLIC WORKS

DIRECTOR: RICHARD D. GOECKE

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of the Installation of Speed Humps on Monroe Avenue between Marion Drive and Nellis Boulevard (\$22,500 - Neighborhood Traffic Management Program) - Ward 3 (Reese)

Fiscal Impact

☐

No Impact

Amount: \$22,500

☒

Budget Funds Available

Dept./Division: Public Works/Traffic Engineer

☐

Augmentation Required

Funding Source: Neighborhood Traffic Management Program

PURPOSE/BACKGROUND:

Residents on Monroe Avenue sent a petition requesting speed humps on their street. Traffic counts taken in August, 2002 showed that there were 530 vehicles a day traveling on this section of Monroe Avenue. Volumes are higher when school is in session. The 85th percentile speed was 39 mph. Monroe Avenue is not a major or secondary emergency response route.

RECOMMENDATION:

Approval

BACKUP DOCUMENTATION:

Map

MOTION:

REESE – Motion to APPROVE Item 3 through 20 and 23 through 61 – UNANIMOUS with L.B. McDONALD excused

Item 21 APPROVED subject to added conditions

Item 22 APPROVED
(see individual items)

MINUTES:

There was no related discussion.

(9:32 – 9:33)

1-865

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 18, 2002

DEPARTMENT: PUBLIC WORKS

DIRECTOR: RICHARD D. GOECKE

☒

CONSENT

☐

DISCUSSION

SUBJECT:

Approval of an Interlocal Agreement #108413 with the Las Vegas Valley Water District for Construction and Funding of Water Facilities as part of the Meadows Village 4, Street Rehabilitation Improvement Project (\$165,000 - Las Vegas Valley Water District) - Ward 1 (M. McDonald)

Fiscal Impact

☐

No Impact

Amount: \$165,000

☒

Budget Funds Available

Dept./Division: PW/City Engineer

☐

Augmentation Required

Funding Source: Las Vegas Valley Water District

PURPOSE/BACKGROUND:

All work regarding this agreement will be paid for by the Las Vegas Valley Water District. This is a street rehabilitation project for targeted neighborhoods.

RECOMMENDATION:

Approval

BACKUP DOCUMENTATION:

Interlocal Agreement #108413

MOTION:

REESE – Motion to APPROVE Item 3 through 20 and 23 through 61 – UNANIMOUS with L.B. McDONALD excused

Item 21 APPROVED subject to added conditions

Item 22 APPROVED

(see individual items)

MINUTES:

There was no related discussion.

(9:32 – 9:33)

1-865

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 18, 2002

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☒

CONSENT

☐

DISCUSSION

SUBJECT:

RESOLUTIONS:

R-93-2002 - Approval of a Resolution Disposing of the Protests made at the Hearing on the Provisional Order for Special Improvement District No. 1481 - El Capitan Way (Centennial Parkway to US-95) (\$3,824,708.11 - Capital Projects Fund/Special Assessments) - Ward 6 (Mack)

Fiscal Impact

☐

No Impact

Amount: \$3,824,708.11

☐

Budget Funds Available

Dept./Division: Public Works/SID

☒

Augmentation Required

Funding Source: Capital Projects Fund/Special Assessments

PURPOSE/BACKGROUND:

The construction and installation of pavement, storm drain facilities, water mains, water laterals, and sewer laterals. In addition, curb and gutter, driveway approaches, fire hydrants and streetlights will be constructed on the east side of El Capitan Way and along the southside of Elkhorn Road. Costs will be recovered over a 20 year period in accordance with Provisional Order approved by City Council on the 7th day of August, 2002.

RECOMMENDATION:

It is recommended that the City Council adopt this Resolution.

BACKUP DOCUMENTATION:

Resolution No. R-93-2002

MOTION:

REESE – Motion to **APPROVE** Item 3 through 20 and 23 through 61 – **UNANIMOUS** with **L.B. McDONALD** excused

Item 21 **APPROVED** subject to added conditions

Item 22 **APPROVED**
(see individual items)

MINUTES:

There was no related discussion.

(9:32 – 9:33)

1-865

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 18, 2002

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☒

CONSENT

☐

DISCUSSION

SUBJECT:

RESOLUTIONS:

R-94-2002 - Approval of a Resolution Disposing of the Protests made at the Hearing on the Provisional Order for Special Improvement District No. 1495 – Buffalo Drive (Cheyenne Avenue to Lone Mountain Road) (\$161,922.91 - Capital Projects Fund/Special Assessments) - Ward 4 (Brown)

Fiscal Impact

☐

No Impact

Amount: \$161,922.91

☐

Budget Funds Available

Dept./Division: Public Works/SID

☒

Augmentation Required

Funding Source: Capital Projects Fund/Special Assessments

PURPOSE/BACKGROUND:

The construction and installation of pavement, “L” type curb and gutter, sidewalk, driveway approaches, sewer laterals and streetlights.

RECOMMENDATION:

It is recommended that the City Council adopt this Resolution.

BACKUP DOCUMENTATION:

Resolution No. R-94-2002

MOTION:

REESE – Motion to **APPROVE** Item 3 through 20 and 23 through 61 – **UNANIMOUS** with **L.B. McDONALD** excused

Item 21 **APPROVED** subject to added conditions

Item 22 **APPROVED**
(see individual items)

MINUTES:

There was no related discussion.

(9:32 – 9:33)

1-865

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 18, 2002

DEPARTMENT: PUBLIC WORKS

DIRECTOR: RICHARD D. GOECKE

☒

CONSENT

☐

DISCUSSION

SUBJECT:

RESOLUTIONS:

R-95-2002 - Approval of a Resolution Amending Schedules 17-I, 17-II and 26-II to Make Alley Zone Changes - Wards 1 and 5 (M. McDonald and Weekly)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division: Public Works/Traffic Engineering

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Since the Fremont Street Experience came into existence, many changes have been made to the alleys in the downtown area. The alleys listed on the attached Schedules do not exist anymore or the zones have changed. This resolution addresses these changes and brings Schedules 17-I, 17-II, and 26-II up to date..

RECOMMENDATION:

Approval

BACKUP DOCUMENTATION:

1. Map
2. Resolution R-95-2002

MOTION:

REESE – Motion to **APPROVE** Item 3 through 20 and 23 through 61 – **UNANIMOUS** with **L.B. McDONALD** excused

Item 21 **APPROVED** subject to added conditions

Item 22 **APPROVED**

(see individual items)

MINUTES:

There was no related discussion.

(9:32 – 9:33)

1-865

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 18, 2002

DEPARTMENT: LEISURE SERVICES

DIRECTOR: BARBARA P. JACKSON, DPA ☒ **CONSENT** ☐ **DISCUSSION**

SUBJECT:

RESOLUTIONS:

R-96-2002 - Approval of a Resolution Designating Heritage Park as a Children's Park - Ward 5
(Weekly)

Fiscal Impact

<input checked="" type="checkbox"/>	No Impact	Amount:
<input type="checkbox"/>	Budget Funds Available	Dept./Division:
<input type="checkbox"/>	Augmentation Required	Funding Source:

PURPOSE/BACKGROUND:

LVMC 13.36.060 authorizes the designation of City parks as children's parks, a designation that limits the use of a park by adults. Heritage Park, near the southeast corner of Washington Avenue and Las Vegas Boulevard North, is located near cultural, library and museum facilities that are frequently used by children, and the park lends itself to that use as well. In order to ensure that the park is safe for use by children, it is proposed to designate the park as a children's park. This Resolution will accomplish the designation

RECOMMENDATION:

It is recommended that the City Council adopt this Resolution

BACKUP DOCUMENTATION:

Resolution R-96-2002

MOTION:

REESE – Motion to APPROVE Item 3 through 20 and 23 through 61 – UNANIMOUS with L.B. McDONALD excused

Item 21 APPROVED subject to added conditions

Item 22 APPROVED
(see individual items)

MINUTES:

There was no related discussion.

(9:32 – 9:33)

1-865

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 18, 2002

DEPARTMENT: PUBLIC WORKS**DIRECTOR: RICHARD D. GOECKE**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

REPORT FROM REAL ESTATE COMMITTEE - Councilmen Weekly and L.B. McDonald

ABEYANCE ITEM - Approval of a Purchase Agreement between Javier Barajas and the City of Las Vegas for the sale of City owned property located at 5300 West Charleston Boulevard known as Parcel Number 138-36-803-016 for \$250,000 (less City's share of closing costs and commission) - Ward 1 (M. McDonald) [**NOTE: Parcel 138-36-803-016 is located just west of 5300 West Charleston Boulevard**]

Fiscal Impact☐**No Impact****Amount:** 250,000 HOME Fund Reimb.☐**Budget Funds Available****Dept./Division:** Public Works/Real Estate☐**Augmentation Required****Funding Source:** HOME Funds Reimbursement**PURPOSE/BACKGROUND:**

This parcel was purchased using \$228,000 Home Investment Partnerships Programs (HOME) funds. The original Sub-recipient, Help Them Walk Again Foundation, was unable to raise sufficient funds to develop the property as planned. A Grant Deed from the Sub-recipient transferred ownership to CLV in repayment for the HOME loan. The parcel is 0.54 acres, has been vacant for decades and is currently zoned R-1. The Real Estate & Assets Division was presented with an offer for the land and wished to proceed with the sale of the property. When escrow closes, the funds will be returned to Neighborhood Services to be refunded to the HOME account.

RECOMMENDATION:

The 9/3/2002 Real Estate Committee and staff recommend approval of the sale of this property, and authorize staff to execute all the additional documents necessary to close escrow and record title.

BACKUP DOCUMENTATION:

1. Land Purchase Agreement
2. Counter Offer
3. Disclosure of Principals
4. Site Map

CITY COUNCIL MEETING OF SEPTEMBER 18, 2002

Finance and Business Services

Item 59 – Approval of a Purchase Agreement between Javier Barajas and the City of Las Vegas

MOTION:

REESE – Motion to APPROVE Item 3 through 20 and 23 through 61 – UNANIMOUS with L.B. McDONALD excused

Item 21 APPROVED subject to added conditions

Item 22 APPROVED
(see individual items)

MINUTES:

There was no related discussion.

(9:32 – 9:33)

1-865

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 18, 2002

DEPARTMENT: PUBLIC WORKS**DIRECTOR: RICHARD D. GOECKE**☒**CONSENT**☐**DISCUSSION****SUBJECT:**

REPORT FROM REAL ESTATE COMMITTEE - Councilmen Weekly and L.B. McDonald

Approval of a Purchase Agreement with the Clark County School District (CCSD) for the sale of approximately 2.98 acres of City owned land located near the southeast corner of Vegas Drive and Simmons Street known as Parcel Number 139-29-501-012 for \$192,500 (Parks Capital Improvement Projects less CLV's share of closing costs) - Ward 5 (Weekly)

Fiscal Impact☐**No Impact****Amount:** \$192,500 gain less costs☐**Budget Funds Available****Dept./Division:** Public Works/Real Estate☐**Augmentation Required****Funding Source:** Capital Improvement Projects**PURPOSE/BACKGROUND:**

On 2/20/01 Council approved staff to enter into negotiations with CCSD for their purchase of the property listed above. This parcel is located next to the Advanced Technologies Academy. CCSD is interested in using the proposed parcel for a parking lot to accommodate staff, students and guests. This is a vacant parcel of land for which the City has no current or future plans. The land has been vacant for decades and has the potential to be improved. By asphaltting the area, it will also help with dust control.

RECOMMENDATION:

The 9/16/2002 Real Estate Committee and staff recommend approval of the sale of this property and authorize staff to execute all the additional documents necessary to close escrow and record title.

BACKUP DOCUMENTATION:

Purchase Agreement

MOTION:

REESE – Motion to APPROVE Item 3 through 20 and 23 through 61 – UNANIMOUS with L.B. McDONALD excused

Item 21 APPROVED subject to added conditions

Item 22 APPROVED

(see individual items)

CITY COUNCIL MEETING OF SEPTEMBER 18, 2002

Finance and Business Services

Item 60 – Approval of a Purchase Agreement with the Clark County School District (CCSD)

MINUTES:

COUNCILMAN WEEKLY commented that the Real Estate Committee met and reviewed all of the Real Estate Items on the Consent Agenda and joins with the recommendation of staff that Items 60 and 61 be approved by the City Council.

There was no further related discussion.

(9:32 – 9:33)

1-865

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 18, 2002

DEPARTMENT: PUBLIC WORKS

DIRECTOR: RICHARD D. GOECKE

☒

CONSENT

☐

DISCUSSION

SUBJECT:

REPORT FROM REAL ESTATE COMMITTEE - Councilmen Weekly and L.B. McDonald

Approval of a Second Amendment and Restated Lease Agreement between the City of Las Vegas and the Museum of Natural History doing business as Las Vegas Natural History Museum (Museum) for property located at 900 Las Vegas Boulevard North - Ward 5 (Weekly)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

CLV entered into an Amended and Restated Lease Agreement with the Museum on 11/15/95. This 2nd Amendment allows for a term of 50 years under the condition that the Museum applies for and be awarded grants for the purpose of construction/completion of certain capital improvements. Museum's rental rate is \$1 per year. CLV pays for all utilities and major repairs to utilities on Premises. CLV maintains exterior of Premises and Museum maintains interior of Premises.

RECOMMENDATION:

The 9/16/2002 Real Estate Committee and staff recommend approval

BACKUP DOCUMENTATION:

Second Amendment and Restated Lease Agreement

MOTION:

REESE – Motion to APPROVE Item 3 through 20 and 23 through 61 – UNANIMOUS with L.B. McDONALD excused

Item 21 APPROVED subject to added conditions

Item 22 APPROVED

(see individual items)

CITY COUNCIL MEETING OF SEPTEMBER 18, 2002

Finance and Business Services

Item 61 – Approval of a Second Amendment and Restated Lease Agreement between the City of Las Vegas and the Museum of Natural History

MINUTES:

COUNCILMAN WEEKLY commented that the Real Estate Committee met and reviewed all of the Real Estate Items on the Consent Agenda and joins with the recommendation of staff that Items 60 and 61 be approved by the City Council.

There was no further related discussion.

(9:32 – 9:33)

1-865

AGENDA SUMMARY PAGE**CITY COUNCIL MEETING OF: SEPTEMBER 18, 2002**

DEPARTMENT: CITY MANAGER'S OFFICE**DIRECTOR: DOUG SELBY**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

ADMINISTRATIVE:

Report from the City Manager on emerging issues

Fiscal Impact☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:**☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

The City Manager (CM) Report will be a vehicle for the City Manager to update the Council on emerging issues that may have an impact on the City of Las Vegas. The CM Report will be a recurring item for every Council meeting. If there are no items for the particular meeting, the City Manager will recommend that the item be stricken.

RECOMMENDATION:

Report only, no action required.

BACKUP DOCUMENTATION:

None

MOTION:

None required. A report was given.

MINUTES:

CITY MANAGER DOUG SELBY reported that the City of Las Vegas plans a large-scale emergency training exercise September 19 from 9:00 a.m. to 1:00 p.m. at Cashman Field. He commented that all of the emergency response groups are participating in this exercise as well as volunteers who will play the roles of victims. Under the sponsorship of the Department of Justice, this exercise is being conducted as part of their Domestic Preparedness Program. DR. SELBY stated that there are over 200 cities participating in similar exercises.

MAYOR GOODMAN queried whether the Communications Office had informed the media of the emergency exercise just as a precautionary measure to ensure the public that this was just a

preparedness exercise. DAVID RIGGLEMAN, Director of Communications, responded that this was previously taken care of several weeks ago.

CITY COUNCIL MEETING OF SEPTEMBER 18, 2002

Finance and Business Services

Item 62 – Report from the City Manager on emerging issues

MINUTES – Continued:

COUNCILMAN McDONALD commended the City Manager's Office for being responsive to all of the Council's concerns as well as dealing with the issues discussed at the Closed Door Sessions. He enumerated a number of concerns: One dealing with the median on Charleston Boulevard, east of Rampart, that is overgrown and supposedly maintained by Peccole, Triple 5 and the Outback Steak group. COUNCILMAN McDONALD requested research be conducted to ensure that the responsible parties fulfill their obligations. Secondly, COUNCILMAN McDONALD asked about ball field lights. Keeping in mind the need to conserve energy, he asked DR. SELBY to look into coordinating with the appropriate department so that the parks do not remain lit when there are no activities. COUNCILMAN REESE stated that the same problem exists at Freedom Park.

COUNCILMAN WEEKLY requested discussion, possibly on the next City Council agenda, regarding a situation that is eminent and will most likely result in litigation between an out-of-state landlord and the Veterans Administration. He was concerned that if that building remained vacant, it might discourage other business ventures from investing anywhere nearby. COUNCILMAN WEEKLY strongly felt that the owners, despite announcing that they would be back in three years, would not keep to that statement. He commented that a better resolution would be to demolish the building and return the property back to the City of Las Vegas.

COUNCILMAN MACK asked if plans for traffic homing devices are in place for the Bradley and Alexander and Tom and Alexander areas since the warrants were not met, although there were numerous requests for stop signs to be put in. MS. FRETWELL replied that several options are being researched. One includes speed trailers that apprise drivers of their speed. She also mentioned speed limit signs that are equipped with radar-sensing devices. The anticipated plan is to install the new traffic trailers and signage along the aforementioned roadways, which in itself helps to slow the traffic down. This interim solution would go into effect until such time as the area meets the warrants.

COUNCILMAN BROWN requested a status report on the sports park situation from either the City Attorney's Office or the City Manager's Office. He also asked for an update on the Buffalo-Washington Park and how it will relate to the sports park. He stated that based on the information provided, it might be possible to act on a design contract. DR. SELBY acknowledged that it would be done.

There was no further discussion.

(9:33 – 10:01)

AGENDA SUMMARY PAGE**CITY COUNCIL MEETING OF: SEPTEMBER 18, 2002****DEPARTMENT: ADMINISTRATIVE SERVICES****DIRECTOR: NIEL PEZZILLO**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

Report and possible action regarding the Nevada League of Cities Bill Draft Requests

Fiscal Impact☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:**☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

The Nevada League of Cities (NLC) approved ten Bill Draft Requests (BDRs) at their Annual Meeting held in Minden, Nevada on August 10, 2002. The Legislative Committee worked with the administration of the League to generate several ideas for possible legislative changes. After six months of research and accumulating more information, the following BDRs were proposed. All BDRs received unanimous approval at the annual meeting.

RECOMMENDATION:

It is recommended that the City Council accept the report and ratify the Nevada League of Cities BDRs.

BACKUP DOCUMENTATION:

Agenda Memo

MOTION:

REESE – ACCEPTED THE REPORT AND RATIFIED the Nevada League of Cities Bill Draft Requests (BDRs) – UNANIMOUS

MINUTES:

DOUG DICKERSON, Executive Director of the Nevada League of Cities, gave a detailed report on the overall makeup of the Nevada League of Cities. MR. DICKERSON explained that there are representatives from each of 24 members, noting that COUNCILMAN BROWN is a member from the City of Las Vegas. Three meetings were held simultaneously at the same time and at three different locations. Bill Draft Request ideas were then shared by way of a conference call. MR. DICKERSON stated that a consensus was arrived at and ten bills were passed unanimously by the delegation. MR. DICKERSON stated that the Nevada League of Cities is soliciting the Council's support. He thoroughly reviewed each of the Bill Drafts as enumerated in the Agenda Memo.

CITY COUNCIL MEETING OF SEPTEMBER 18, 2002
Finance and Business Services
Item 63 – Nevada League of Cities Bill Draft Requests

MINUTES – Continued:

COUNCILMAN McDONALD brought up a concern dealing with the influx of payday loan establishments that are charging exorbitant rates for the privilege of borrowing money. He noted that stringent limitations and restraints have been placed on pawnshops, and likewise he would like to see the same type of restrictions placed on these payday loan establishments. COUNCILMAN McDONALD stated that he has seen an abundant growth of these small businesses sprouting up all over the City, especially in Wards 1, 3 and 5. He also noted that there are no requirements for special privilege licenses or zoning restrictions. COUNCILMAN MACK interjected that the rates charged vary from lender to lender; however, he believed the focus should be on aesthetic control and agreed that perhaps a special use permit should be tied to that. COUNCILMAN McDONALD concurred and stressed that guidelines and restraints should definitely be looked into. He stated that the influx of these businesses will have an adverse affect on the redevelopment in his ward.

Responding to COUNCILMAN McDONALD'S query regarding a Bill Draft to address this situation, MR. DICKERSON explained that the deadline for submitting Bill Drafts has expired but he commented that legislators are always supportive and will do as much as they can to help remedy this situation.

MS. FRETWELL commented that the City is doing its own research and will be coming forward with a Text Amendment to be presented at the next Planning Commission meeting.

MAYOR GOODMAN asked a question regarding Bill Draft No. 8 relating to the Open Meeting Law and Violations. He stated that he could support this draft, as long as a record of the proceedings are transcribed to give the public an opportunity to read about what transpired. MR. DICKERSON relayed that the bills are drafted and prior to being introduced to the Legislature, they are shared with the Legislative Committee and the Council for additional input as needed.

COUNCILWOMAN McDONALD stated that the Nevada League of Cities has worked hard to arrive at the bill drafts previously discussed by MR. DICKERSON.

There was no further discussion.

(9:43 –10:05)

1-1280

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: SEPTEMBER 18, 2002

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐

CONSENT

☒

DISCUSSION

SUBJECT:

Discussion and possible action on Appeal of Work Card Denial: Troy Alex Parish, 6125 Blossum Knoll Avenue, Las Vegas, Nevada 89108

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

RECOMMENDATION:

BACKUP DOCUMENTATION:

Appellant Letter of Appeal and City Clerk Notification Letter to Appellant
Submitted after Final Agenda: Withdrawal request by the Appellant

MOTION:

REESE – Motion to bring forward and STRIKE Item 64 [Appeal of Work Card – Troy Alex Parish] and Hold in ABEYANCE Item 65 [ABEYANCE ITEM – GMN Associates, LLC] to 10/16/2002 – UNANIMOUS with L.B. McDONALD excused

MINUTES:

There was no related discussion.

(9:21 – 9:33)

1-507

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: SEPTEMBER 18, 2002

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☐

CONSENT

☒

DISCUSSION

SUBJECT:

ABEYANCE ITEM - Discussion and possible action regarding a new Tavern Liquor License subject to the provisions of the fire codes and Health Dept. regulations, GMN Associates, LLC, dba GMN Associates, LLC, 2828 Highland Drive, Domenick J. Cilea, Mgr, Mmbr, 100%, William F. Luddecke, Lender - Ward 1 (M. McDonald)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Discussion and possible action regarding a new Tavern Liquor License

RECOMMENDATION:

At the request of the applicant, hold in abeyance to the October 16, 2002 City Council meeting

BACKUP DOCUMENTATION:

1. Letter from Domenick Cilea
2. Map

MOTION:

REESE – Motion to bring forward and STRIKE Item 64 [Appeal of Work Card – Troy Alex Parish] and Hold in ABEYANCE Item 65 [ABEYANCE ITEM – GMN Associates, LLC] to 10/16/2002 – UNANIMOUS with L.B. McDONALD excused

MINUTES:

There was no related discussion.

(9:21 – 9:33)

1-507

AGENDA SUMMARY PAGE**CITY COUNCIL MEETING OF: SEPTEMBER 18, 2002**

DEPARTMENT: FINANCE AND BUSINESS SERVICES**DIRECTOR: MARK R. VINCENT**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

Discussion and possible action regarding Change of Ownership for a Package Liquor License subject to Health Dept. regulations, From: NISA, Inc., Suzette A. Guido, Dir, Pres, 50%, Richard C. Guido, Dir, Secy, Treas, 50%, To: H & H Discount Liquor, dba H & H Discount Liquor, 1916 North Decatur Blvd., Falah E. Hamika, Ptnr, 50%, Maher Alsafar, Ptnr, 50% - Ward 5 (Weekly)

Fiscal Impact☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:**☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

Discussion and possible action regarding Change of Ownership for a Package Liquor License

RECOMMENDATION:

Recommendation to be provided following discussion of the item at the City Council meeting.

BACKUP DOCUMENTATION:

None

MOTION:

WEEKLY – APPROVED the temporary license subject to a six-month review (3/20/2003) – UNANIMOUS

MINUTES:

JIM DIFIORE, Manager of Finance and Business Services, asked the Council to refer to the backup regarding investigative concerns relating to the applicants. MR. DIFIORE stated that he would recommend a temporary license with a six-month review.

ATTORNEY STAN HUNTERTON, 333 South 6th Street, appeared with the applicants, and explained that his clients would prefer to have a permanent license rather than a temporary license as recommended by MR. DIFIORE. ATTORNEY HUNTERTON stated that he believes the omission of information was an inadvertent error and substantiated that approximately one week later the property in question was identified on the disclosure documents.

MR. DIFIORE validated that the temporary license will allow him and the Council to make a determination as to whether the applicants have complied with the code requirements and Health Department regulations.

CITY COUNCIL MEETING OF SEPTEMBER 18, 2002

Finance and Business Services

Item 66 – Discussion and possible action regarding Change of Ownership for a Package Liquor License from NISA, Inc., to H&H Discount Liquor

MINUTES – Continued:

COUNCILMAN WEEKLY stated that he would follow staff's recommendations versus denying the Package Liquor License altogether. He offered that as long as the applicant is in compliance, when this application is reviewed in six months, a permanent license will be issued.

There was no further discussion.

(10:01 – 10:07)

1-1975

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: SEPTEMBER 18, 2002

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☐

CONSENT

☒

DISCUSSION

SUBJECT:

Discussion and possible action regarding Temporary Approval of a Franchise Manager for a Beer/Wine/Cooler Off-sale Liquor License subject to Health Dept. regulations, 7-Eleven of Nevada, Inc., dba 7-Eleven Food Store, #21478D, 200 West Boston Ave., Iqbal Hussain, Franchise Mgr - Ward 1 (M. McDonald)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Discussion and possible action regarding Temporary Approval of a Franchise Manager for a Beer/Wine/Cooler Off-sale Liquor License

RECOMMENDATION:

Recommendation to be provided following discussion of the item at the City Council meeting.

BACKUP DOCUMENTATION:

1. Agena Memo
2. Letter from Iqbal Hussain

MOTION:

M. McDONALD – APPROVED – UNANIMOUS

MINUTES:

JIM DIFIORE, Manager of Finance and Business Services, explained that the applicant has provided all the necessary documents and recommended approval for the temporary license.

IQBAL HUSSAIN, the applicant, was present to answer any questions and asked for Council approval.

COUNCILMAN McDONALD asked MR. HUSSAIN if he would take a pro-active involvement and work with the City in keeping the area free of undesirable activities. MR. HUSSAIN agreed that he would do whatever he can with the City's guidance.

CITY COUNCIL MEETING OF SEPTEMBER 18, 2002

Finance and Business Services

Item 67 – Discussion and possible action regarding Temporary Approval of a Franchise Manager – 7-Eleven of Nevada

MINUTES – Continued:

MAYOR GOODMAN also reiterated COUNCILMAN McDONALD'S concerns and expressed that he would appreciate a commitment from MR. HUSSAIN to uphold the standards set by the City. If there are any objectionable situations that occur near or about his business, he asked MR. HUSSAIN to contact him or MR. DIFIORE'S office. MR. HUSSAIN assured MAYOR GOODMAN that he would willingly make that commitment.

There was no further discussion.

(10:07 – 10:09)

1-2230

AGENDA SUMMARY PAGE**CITY COUNCIL MEETING OF: SEPTEMBER 18, 2002****DEPARTMENT: FINANCE AND BUSINESS SERVICES****DIRECTOR: MARK R. VINCENT**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

Discussion and possible action regarding Approval of Key Employee for a Beer/Wine/Cooler Off-sale Liquor License, K-Cal Ventures, LLC, dba Circle K, 2308 Las Vegas Blvd., South, Susan Larsen, Store Mgr - Ward 1 (M. McDonald)

Fiscal Impact☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:**☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

Discussion and possible action regarding Approval of Key Employee for a Beer/Wine/Cooler Off-sale Liquor License

RECOMMENDATION:

Recommendation to be provided following discussion of the item at the City Council meeting.

BACKUP DOCUMENTATION:

1. Submitted at meeting: Certificate of Completion from ABC Therapy
2. Submitted at meeting: Letter of Appreciation from Metropolitan Police
3. Submitted at meeting: Letter from Metropolitan Police dated 11/24/2001

MOTION:

M. McDONALD – APPROVED – UNANIMOUS

MINUTES:

JIM DIFIORE, Manager, Finance and Business Services, explained that the backup documentation contains details pertaining to the applicant's arrest record. Having previously spoken with MS. LARSEN, MR. DIFIORE stated that MS. LARSEN'S employer has elected to appear on her behalf.

SUSAN LARSEN, 2308 Las Vegas Boulevard, introduced BILL JENSEN, Retail Territory Supervisor for Circle K. MR. JENSEN explained that he hired MS. LARSEN two years prior and was also responsible for enrolling her in the Corporations management-training program. MR. JENSEN also shared that he was aware of her previous record, but felt that her job performance outweighed the negativity and he strongly believed in her to the point of placing her in the position of Manager.

CITY COUNCIL MEETING OF SEPTEMBER 18, 2002

Finance and Business Services

Item 68 – Discussion and possible action regarding Approval of Key Employee – K-Cal Ventures, LLC

MINUTES – Continued:

MAYOR GOODMAN commented to MR. JENSEN that he commends Circle K for its willingness to vouch for its employees, knowing full well the consequences involved should any violations occur.

COUNCILMAN McDONALD reiterated the importance of keeping a watchful eye on all activities in the area and to report any illegal activities to his office or to Metro.

MR. DIFIORE confirmed receipt of letters brought in by the applicant. COUNCILMAN McDONALD requested copies of the letters to be submitted to the City Clerk's office.

There was no further discussion.

(10:09 – 10:13)

1-2347

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: SEPTEMBER 18, 2002

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☐

CONSENT

☒

DISCUSSION

SUBJECT:

ABEYANCE ITEM - Discussion and possible action regarding Reclassification From:

Beer/Wine/Cooler Off-sale Liquor License, To: Package Liquor License subject to the provisions of the planning codes, Nasir Kosa, dba Value Market, 1510 East Sahara Ave., Nasir Kosa, 100%, [NOTE:

Item to be heard in the afternoon session in conjunction with Item #127 - Special Use Permit

#U-0072-02] - Ward 3 (Reese)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Recommendation to be provided following discussion of the item at the City Council meeting.

RECOMMENDATION:

Recommend approval subject to the provisions of the planning codes

BACKUP DOCUMENTATION:

None

MOTION:

REESE – DENIED– UNANIMOUS with GOODMAN voting NO

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

NASIR KOSA, 1510 East Sahara Avenue, stated that he is requesting the sale of packaged liquor in order to make it convenient for his customers to purchase liquor. Currently, he has gaming, groceries, beer and wine. He submitted a petition with signatures from his customers supporting his request.

FRANCES COURSEN appeared as a character witness for MR. KOSA on her husband's behalf. MAYOR GOODMAN expressed his and the Council's condolences for the passing of her husband, MAX COURSEN. Her husband, who operated Max's Deli downtown for years, knew MR. KOSA to be an honest businessman who ran a clean business and never sold to minors. Her husband would never recommend MR. KOSA if he did not think he was worthy of this license.

CITY COUNCIL MEETING OF SEPTEMBER 18, 2002
Finance and Business Services
Item 69 – Nasir Kosa dba Value Market

MINUTES – Continued:

TODD FARLOW, 240 North 19th Street, pointed out that the landscaping should be maintained at this site.

COUNCILMAN REESE stated that this mini mart has done business very well. There were some complaints, but not that many. He feels that the packaged liquor belongs in stores such as Vons or Albertsons. This request does not meet the criteria as far as square footage. Once such a request is granted for a convenience store, others will come forward requesting similar licenses. Therefore, he recommended denial. MAYOR GOODMAN indicated that he understands the Councilman's position, but in honor of his friend MAX he would be voting no.

No one appeared in opposition.

There was no further discussion.

MAYOR GOODMAN declared the Public Hearing closed.

NOTE: All discussion for Item 127 [U-0072-02] and Item 69 [Package Liquor License – Nasir Kossa] was held under Item 127 [U-0072-02].

(4:01 – 4:07)

5-740

AGENDA SUMMARY PAGE**CITY COUNCIL MEETING OF: SEPTEMBER 18, 2002**

DEPARTMENT: FINANCE AND BUSINESS SERVICES**DIRECTOR: MARK R. VINCENT**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

Discussion and possible action regarding Temporary Approval of Change of Ownership for a Tavern Liquor License and a new Restricted Gaming License for 15 slots subject to the provisions of the fire codes, Health Dept. regulations and approval by the Nevada Gaming Commission, From: Helen Brewer and Stanley Brewer, 100% jointly as husband and wife, To: The Four Horsemen, LLC, dba Duffy's Tavern, 4420 East Charleston Blvd., Suite 2, Raymond J. Shapiro, Mgr, Mmbr, 1%, The Shapiro Family Trust, Mmbr, 99%, Raymond J. Shapiro, Trustee - Ward 3 (Reese)

Fiscal Impact☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:**☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

Discussion and possible action regarding Temporary Approval of Change of Ownership for a Tavern Liquor License and a new Restricted Gaming License for 15 slots

RECOMMENDATION:

Recommend approval subject to the provisions of the fire codes, Health Dept. regulations and approval by the Nevada Gaming Commission with authority for the Director of Finance and Business Services to grant permanent licenses upon receipt of a favorable police report

BACKUP DOCUMENTATION:

1. Agenda Memo
2. Letter from Raymond Shapiro

MOTION:**REESE - APPROVED – UNANIMOUS****MINUTES:**

JIM DIFIORE, Manager, Finance and Business Services, explained that the applicant, RAYMOND SHAPIRO has been in business for a number of years. All of the documents Mr. Shapiro has submitted are in order and his recommendation is for approval.

ATTORNEY SCOTT EATON, 300 South 4th Street, appeared on behalf of MR. SHAPIRO.

RAY SHAPIRO, 3321 North Buffalo, Suite 227, was present to answer any questions.

CITY COUNCIL MEETING OF SEPTEMBER 18, 2002

Finance and Business Services

Item 70 – Discussion and possible action regarding Temporary Approval of Change of Ownership – The Four Horsemen, LLC

MINUTES – Continued:

There was no further discussion.

(10:14 – 10:15)

1-2550

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: SEPTEMBER 18, 2002

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☐

CONSENT

☒

DISCUSSION

SUBJECT:

Discussion and possible action regarding Approval of Member for a Tavern Liquor License and a Restricted Gaming License for 15 slots, Boodles, Ltd., dba Boodles Lounge, 7002 West Charleston Blvd., David M. Rice and Karen W. Rice Family Trust, Mmbr, 45%, David M. Rice, Trustee, Karen W. Rice, Trustee - Ward 1 (M. McDonald)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Discussion and possible action regarding Approval of Member for a Tavern Liquor License and a Restricted Gaming License for 15 slots

RECOMMENDATION:

Recommendation to be provided following discussion of the item at the City Council meeting.

BACKUP DOCUMENTATION:

None

MOTION:

M. McDONALD - APPROVED – UNANIMOUS

MINUTES:

JIM DIFIORE, Manager, Finance and Business Services, explained that the applicant, David Rice, has been an active licensee for many years. The item is before the Council due to an incident that involved an issue that was not reported to Metro. Since that time, the circumstances have been cleared and MR. DIFIORE recommended approval.

DAVID RICE, 1920 Red Bird Drive, was present.

There was no further discussion.

(10:15 – 10:16)

1-2612

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: SEPTEMBER 18, 2002

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☐

CONSENT

☒

DISCUSSION

SUBJECT:

ABEYANCE ITEM - Discussion and possible action regarding a Six Month Review of a Massage Establishment License, Shu Qin O'Neil, dba Good Luck Massage, 4211 West Sahara Ave., Suite C, Shu Qin O'Neil, 100% - Ward 1 (M. McDonald)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Discussion and possible action regarding a Six Month Review of a Massage Establishment License

RECOMMENDATION:

Recommendation to be provided following discussion of the item at the City Council meeting.

BACKUP DOCUMENTATION:

1. Agenda Memo
2. Photographs (2)

MOTION:

M. McDONALD – DENIED – UNANIMOUS

MINUTES:

NOTE: A Verbatim Transcript is made a part of the Final Minutes.

APPEARANCES:

JIM DIFIORE, Manager, Finance and Business Services

EMILY WONG, 5126 Prosper Street

ATTORNEY KIRK KENNEDY, 2881 South Valley View, Suite 5

(10:10 – 10:23)

1-2668

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: SEPTEMBER 18, 2002

DEPARTMENT: FINANCE AND BUSINESS SERVICES

DIRECTOR: MARK R. VINCENT

☐

CONSENT

☒

DISCUSSION

SUBJECT:

ABEYANCE ITEM - Discussion and possible action regarding a new Massage Establishment License subject to the provisions of the fire codes, Hai Bin Liu, dba Asian Princess Spa, 2212 Paradise Road, Hai Bin Liu, 100% - Ward 3 (Reese)

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Discussion and possible action regarding a new Massage Establishment License

RECOMMENDATION:

Recommendation to be provided following discussion of the item at the City Council meeting.

BACKUP DOCUMENTATION:

Map

MOTION:

REESE – ABEYANCE to 10/2/2002 – UNANIMOUS

MINUTES:

JIM DIFIORE, Manager, Finance and Business Services, explained that MR. LEE, acting on behalf of the applicant called his office to request an abeyance of two weeks in order to comply with the Metropolitan Police Department's request for documents. MR. DIFIORE stated that he saw no problem with the abeyance; however, at the October 2nd meeting, he and Metro would recommend this item go forward whether the applicant is prepared or not.

MAYOR GOODMAN asked for confirmation that the establishment is not currently operational. MR. DIFIORE confirmed that to be correct.

CITY COUNCIL MEETING OF SEPTEMBER 18, 2002

Finance and Business Services

Item 73 – Discussion and possible action regarding a new Massage Establishment License – Asian Princess Spa

MINUTES – Continued:

MR. LEE stated that the situation affecting this request should be resolved within two weeks. MAYOR GOODMAN declared that any presentation can be given at that time. COUNCILMAN REESE questioned whether two weeks was long enough. MR. LEE stated that the applicant felt it would be adequate.

There was no further discussion.

(10:23 – 10:25)

1-3019

AGENDA SUMMARY PAGE**CITY COUNCIL MEETING OF: SEPTEMBER 18, 2002****DEPARTMENT: NEIGHBORHOOD SERVICES****DIRECTOR: SHARON SEGERBLOM**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

Report and possible action on MASH campus status located at 1559 and 1581 North Main and direct staff accordingly - Ward 5 (Weekly)

Fiscal Impact☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:**☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

SVdP's contract to operate the MASH campus will terminate as of September 30, 2002. Council authorized Neighborhood Services' staff to develop an RFQ to sustain operations of the Transitional Living Center and the Crisis Intervention Center. The report will summarize the proposed actions taken to implement Council's direction.

RECOMMENDATION:

City Manager recommends City Council accept report and provide direction to staff.

BACKUP DOCUMENTATION:

PowerPoint

MOTION:

WEEKLY – APPROVED Option 1 for the Crisis Intervention Center which will include:

Road remediation, design, re-grading the property and the parking lot, replacement of air conditioning units and insulation of walls and ceilings. Additionally, update and repair the electrical systems in the building and the repair of the roof.

Option 3 for the Transitional Living Center will include:

Repair and eventual roof replacement, weekly maintenance, parking lot redesign and reconstruction with minor fix-ups and painting and foundation and drainage system repairs.

– UNANIMOUS with L.B. McDONALD abstaining because she is on the Board of Trustees of Catholic Charities of Southern Nevada.

NOTE: Councilman Mack disclosed that his brother, Steven Mack, owns the SuperPawn which is located in the adjacent area, but since they have never discussed this item, he would be voting on the item.

NOTE: A Verbatim Transcript is made a part of the Final Minutes.

CITY COUNCIL MEETING OF SEPTEMBER 18, 2002
Finance and Business Services
Item 74 – MASH Campus

MINUTES:

APPEARANCES:

SHARON SEGERBLOM, Director, Neighborhood Services

DIANA WILSON, Shade Tree

TODD FARLOW, 240 North 19th Street

FRANK KERN, citizen of Las Vegas

BETSY FRETWELL, Deputy City Manager

(10:25 – 10:50)

1-3131/2-1

AGENDA SUMMARY PAGE**CITY COUNCIL MEETING OF: SEPTEMBER 18, 2002****DEPARTMENT: NEIGHBORHOOD SERVICES****DIRECTOR: SHARON SEGERBLOM**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

Discussion and possible action on an Operating Agreement between the City of Las Vegas and Catholic Charities of Southern Nevada to operate the Crisis Intervention Center (CIC) of MASH Village located at 1581 North Main with the assistance of \$40,000 of 2002 Weather Shelter Funds - Ward 5 (Weekly)

Fiscal Impact☐**No Impact****Amount: \$40,000**☒**Budget Funds Available****Dept./Division: Neigh. Svcs./Neigh. Devel.**☐**Augmentation Required****Funding Source: General Funds/Weather Shelter****PURPOSE/BACKGROUND:**

On May 29, 2002, a Request for Qualifications (RFQ) to operate the MASH Village site was issued to the public. Catholic Charities was the only service provider to submit a timely response. Catholic Charities' Proposal was for the operation of the CIC only. SHP funds awarded to S.V.d.P. will have an approximate balance of \$156,000 for Supportive Services for the CIC. This will require a cash match of 25 percent, which will be covered with the Weather Shelter Funds.

RECOMMENDATION:

The City Manager recommends that the City Council approve this Operating Agreement and authorize the Mayor to execute the Agreement with Catholic Charities of Southern Nevada after it has been approved by the City Attorney.

BACKUP DOCUMENTATION:

1. Agenda Memo
2. Operating Agreement between the City of Las Vegas and Catholic Charities of Southern Nevada

MOTION:

WEEKLY – APPROVED – UNANIMOUS with L.B. McDONALD abstaining because she is on the Board of the Catholic Charities of Southern Nevada.

NOTE: Councilman Mack disclosed that his brother, Steven Mack, owns the SuperPawn that is located in the adjacent area, but since they have never discussed this item, he would be voting on the item.

CITY COUNCIL MEETING OF SEPTEMBER 18, 2002

Finance and Business Services

Item 75 – Operating Agreement between the City of Las Vegas and Catholic Charities of Southern Nevada

MINUTES – Continued:

SHARON SEGERBLOM, Director of Neighborhood Services, requested approval of the Operating Agreement and stated that the funding is in place.

There was no further discussion.

(10:51 – 10 52)

2-525

AGENDA SUMMARY PAGE**CITY COUNCIL MEETING OF: SEPTEMBER 18, 2002**

DEPARTMENT: PUBLIC WORKS**DIRECTOR: RICHARD D. GOECKE**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

Discussion and possible action on a request to install a Speed Hump on Cedar Avenue between 21st Street and 23rd Street (\$4,500 - Neighborhood Traffic Management Program) - Ward 3 (Reese)

Fiscal Impact☐**No Impact****Amount:** \$4500☒**Budget Funds Available****Dept./Division:** Public Works/Traffic Engineering☐**Augmentation Required****Funding Source:** Neighborhood Traffic Management Program**PURPOSE/BACKGROUND:**

Residents have requested the installation of speed humps on Cedar Avenue between 21st Street and 23rd Street. Traffic counts showed that there were 498 vehicles a day traveling on this section of Cedar Avenue. The 85th percentile speed was 32 mph. A total of 40 points is needed to install speed humps; Cedar Avenue accumulated 10 points. Cedar Avenue is a secondary emergency response route. The street does not meet the criteria approved by City Council for the installation of speed humps.

RECOMMENDATION:

Denial

BACKUP DOCUMENTATION:

1. Map
2. Submitted at meeting: Petition of Approval with 39 signatures
3. Submitted at meeting: Copy of Email from Adele and Elmer Miller

MOTION:**REESE – APPROVED – UNANIMOUS with L. B. McDONALD not voting****MINUTES:**

RICHARD GOECKE, Director of Public Works, explained that requests had been received for installation of speed humps; however, based on the study conducted, the criteria for such installation was not met, so staff is recommending denial.

COUNCILMAN REESE, for the record, submitted a petition of names in favor of the installation of the speed humps, along with a copy of an email also in favor of this project. He stated that a number of

senior citizens live in this vicinity, located in the older area of Las Vegas. He expressed the concerns of these residents because of the volume of traffic in their neighborhood.

CITY COUNCIL MEETING OF SEPTEMBER 18, 2002

Finance and Business Services

Item 76 – Speed Hump on Cedar Avenue between 21st Street and 23rd Street

MINUTES – Continued:

COUNCILMAN REESE explained that many seniors who live on Cedar Avenue are afraid to back out from their properties because of cut-through traffic. Despite staff's recommendation, COUNCILMAN REESE felt it appropriate to approve the installation of the speed humps.

There was no further discussion.

(10:52 – 10:54))

2-551

AGENDA SUMMARY PAGE**CITY COUNCIL MEETING OF: SEPTEMBER 18, 2002****DEPARTMENT: BUSINESS DEVELOPMENT****DIRECTOR: LESA CODER**☐**CONSENT**☒**DISCUSSION****SUBJECT:****RESOLUTIONS:**

ABEYANCE ITEM - R-69-2002 - Discussion and possible action regarding a Resolution consenting to certain undertakings of the City of Las Vegas Redevelopment Agency in connection with the Owner Participation Agreement with World Market Center, LLC, for the project concerning the development of real property generally west of Grand Central Parkway and north of Bonneville/Alta - (APN's 139-33-610-004, 139-33-511-003, and 139-33-511-004) - Ward 5 (Weekly) [**NOTE: This item is related to Redevelopment Agency Item #3**]

Fiscal Impact☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:**☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

World Market Center, LLC, will build up to 7,500,000 s.f. of wholesale furniture showrooms, and related uses such as exhibition, office, and mixed-use space, over the 57 acre site. Developer is seeking TIF for some qualified improvements as no other means of financing is available. The project is of benefit to the redevelopment plan area.

RECOMMENDATION:

Approval

BACKUP DOCUMENTATION:

1. Resolution No. R-69-2002
2. Summary of Expected Benefits and related correspondence
3. Location Map
4. Submitted at meeting: Letter from Jones Vargas dated 9/13/2002
5. Submitted at meeting: Letter from Daryl Alterwitz dated 9/9/2002
6. Incorporate by Reference all previous documents as part of this record

MOTION:**WEEKLY – APPROVE and incorporate all previous records and documents – UNANIMOUS**

CITY COUNCIL MEETING OF SEPTEMBER 18, 2002
Finance and Business Services
Item 77 – R-69-2002

MINUTES:

NOTE: A Combined Verbatim Transcript of Item 77 [R-69-2002] and Redevelopment Agency Item 3 [RA-2-2002] is made a part of the Final Minutes.

APPEARANCES:

LESA CODER, Director of Business Development
BRAD JERBIC, City Attorney
STAN WASHINGTON, citizen of Las Vegas
SLY COLEMAN, former Military VA Liaison
GENE COLLINS, 1101 Eleanor
TOM McGOWAN, Las Vegas resident
FRANK KERN, County resident
BEATRICE TURNER, West Las Vegas
ATTORNEY MARK FIORENTINO, 3200 Howard Hughes Parkway
SHAWN SAMSON

(10:54 – 11:37/1:15 – 1:16)

2-614/3-2545

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: SEPTEMBER 18, 2002

DEPARTMENT: CITY CLERK

DIRECTOR BARBARA JO (RONI) RONEMUS

☐

CONSENT

☒

DISCUSSION

SUBJECT:

BOARDS & COMMISSIONS:

ABEYANCE ITEM - AUDIT OVERSIGHT COMMITTEE – Joseph Saitta, Term Expiration 7/19/2002

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

The City of Las Vegas Audit Oversight Committee was created by City Council Resolutions R-49-98 and R-117-98 for the purpose of overseeing various aspects of the City's internal audit function. Two members must be specifically identified members of the City Council and three members must be from the community-at-large. Mr. Saitta fills a community-at-large seat and he is eligible for reappointment. There is no city residency requirement. At the Council Meeting of September 4, 2002, this item was abeyed to September 18, 2002.

RECOMMENDATION:

Procedure for this Committee requires appointment by the Mayor, subject to ratification by the City Council. Options are: Reappoint Mr. Saitta or appoint a new community-at-large member.

BACKUP DOCUMENTATION:

1. City of Las Vegas Audit Oversight Committee Listing and Authority
2. Board Interest Form – Amanda R. McWilliams

MOTION:

GOODMAN – Motion to APPOINT JOSE TRONCOSO, 2028 Sedona Creek Circle, 89128 – UNANIMOUS

Clerk to notify

MINUTES:

There was no discussion.

(11:37 – 11:38)

2-2264

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 18, 2002

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐

CONSENT

☒

DISCUSSION

SUBJECT:

RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT THIS MEETING:

ABEYANCE ITEM - Bill No. 2002-86 – Revises the development standards applicable to commercial and industrial development. Proposed by: Robert S. Genzer, Director of Planning and Development

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

The Zoning Code currently contains a number of development standards applicable to commercial and industrial development. This bill will revise and expand those standards, as well as separate them into two distinct code sections. The revised standards are based upon significant input from staff, the development community, and the Planning Commission.

RECOMMENDATION:

ADOPTION at 9/4/2002 City Council meeting pursuant to the 8/19/2002 Recommending Committee.

First Reading – 8/7/2002; First Publication – 8/23/2002

BACKUP DOCUMENTATION:

Bill No. 2002-86

MOTION:

WEEKLY – Second Reading and **BILL ADOPTED** as recommended as Ordinance No. 5508 – **UNANIMOUS**

Clerk to proceed with second publication

NOTE: The original motion for adoption by WEEKLY which carried unanimously was subsequently rescinded upon motion by GOODMAN which also carried unanimously.

CITY COUNCIL MEETING OF SEPTEMBER 18, 2002
Finance and Business Services
Item 79 – Bill No. 2002-86

MINUTES:

MARK JONES, Southwest Engineering, 3610 North Rancho Drive, appeared on behalf of the National Association of Industrial and Office Properties. He indicated that while staff and his organization worked together, there remained some issues to be addressed. There is a concern with the standards for exterior materials and finishes. Language proposed would prohibit unplastered standard concrete, concrete masonry units, glazed tile and highly reflective or shiny materials which are traditionally used in southwest construction in a tasteful and cost-effective manner. They assist with climate control and energy efficiency. Future use of these materials after passage would require a waiver of the standard. The waiver process would delay projects and add to the overall cost. He recommended language be added to provide some discretion and design flexibility.

As the bill relates to parking lot lighting, limiting the lighting to the level proposed could cause significant public safety issues and again, would require a lengthy and costly waiver process. He recommended language that large commercial developments at least 330 feet from residential developments be allowed lighting up to 5-foot candles as they currently exist in Centennial Center. This provides the necessary safety precautions for customers without burdening staff and developers with the waiver process.

FRANK FIORE, Planning & Development, clarified that the intent of this Bill is to establish consistent standards for commercial development, primarily in growing new suburban areas. The standards would not apply to gaming or casino development, the downtown Centennial Plan area or any master planned development. MAYOR GOODMAN confirmed that the suggestion is that this Bill be adopted and then the areas of concern be worked on thereafter. MR. FIORE agreed that staff could come back with future text amendments. If this Bill does not pass, the process would need to start over. MR. JONES concurred with the suggestion.

There was no further discussion.

(11:38 – 11:43)

2-2308

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 18, 2002

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐

CONSENT

☒

DISCUSSION

SUBJECT:

RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT THIS MEETING:

ABEYANCE ITEM - Bill No. 2002-87 – Revises the landscape, wall and buffer requirements for development within the City. Proposed by: Robert S. Genzer, Director of Planning and Development

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

This bill will revise the existing landscape, wall and buffer requirements applicable to all types of development within the City. The revised standards are based upon significant input from staff, the development community, and the Planning Commission.

RECOMMENDATION:

ADOPTION at 9/4/2002 City Council meeting pursuant to the 8/19/2002 Recommending Committee.

First Reading – 8/7/2002; First Publication – 8/23/2002

BACKUP DOCUMENTATION:

Bill No. 2002-87

Submitted after Final Agenda: 9/17/2002 letter from Southern Nevada Home Builders Assn

MOTION:

WEEKLY – Second Reading and BILL ADOPTED as a First Amendment as Ordinance No. 5509 – UNANIMOUS

Clerk to proceed with second publication

MINUTES:

NOTE: A Verbatim Transcript is made a part of the Final Minutes.

CITY COUNCIL MEETING OF SEPTEMBER 18, 2002
Finance and Business Services
Item 80 – Bill No. 2002-87

MINUTES – Continued:

APPEARANCES:

BRAD JERBIC, City Attorney

COLLEEN WILSON-PAPA, 3685 South Pecos-McCleod

FRANK FIORE, Department of Planning and Development

BOB GENZER, Director, Department of Planning and Development

VAL STEED, Chief Deputy City Attorney

DOUGLAS SELBY, City Manager

(11:43 – 12:06)

2-2516/3-1

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: SEPTEMBER 18, 2002

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐

CONSENT

☒

DISCUSSION

SUBJECT:

RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT THIS MEETING:

Bill No. 2002-88 – Annexation No. A-0063-01 (A) – Property location: 330 feet north of Grand Teton Drive and 680 feet east of Durango Drive; Petitioned by: Cromer 1985 Trust, et al.; Acreage: 2.45 acres; Zoned: R-E (County zoning), U (PCD) (City equivalent). Sponsored by: Councilman Michael Mack

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

The proposed ordinance annexes certain real property generally located 330 feet north of Grand Teton Drive and 680 feet east of Durango Drive. The annexation is at the request of the property owners. The annexation process has now been completed in accordance with the NRS and the final date of annexation (September 27, 2002) is set by this ordinance.

RECOMMENDATION:

ADOPTION at 9/18/2002 City Council meeting pursuant to the 9/3/2002 Recommending Committee.

First Reading – 8/21/2002; First Publication – 9/6/2002

BACKUP DOCUMENTATION:

Bill No. 2002-88 and Location Map

MOTION:

WEEKLY – Second Reading and BILL ADOPTED as recommended as Ordinance No. 5510 – UNANIMOUS

Clerk to proceed with second publication

MINUTES:

There was no discussion.

(12:06)

AGENDA SUMMARY PAGE**CITY COUNCIL MEETING OF: SEPTEMBER 18, 2002**

DEPARTMENT: CITY ATTORNEY**DIRECTOR: BRADFORD R. JERBIC**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT THIS MEETING:

Bill No. 2002-89 – Annexation No. A-0018-02 (A) – Property location: On the west side of Buffalo Drive, approximately 120 feet north of Cheyenne Avenue; Petitioned by: City of Las Vegas; Acreage: 0.65 acres; Zoned: R-E (County zoning), R-E (City equivalent). Sponsored by: Councilman Larry Brown

Fiscal Impact☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:**☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

The proposed ordinance annexes certain real property generally located on the west side of Buffalo Drive, approximately 120 feet north of Cheyenne Avenue. The annexation is at the request of the City, with no objection by the owner (Las Vegas Valley Water District). The annexation process has now been completed in accordance with the NRS and the final date of annexation (September 27, 2002) is set by this ordinance.

RECOMMENDATION:

ADOPTION at 9/18/2002 City Council meeting pursuant to the 9/3/2002 Recommending Committee.

First Reading – 8/21/2002; First Publication – 9/6/2002

BACKUP DOCUMENTATION:

Bill No. 2002-89 and Location Map

MOTION:**WEEKLY – Second Reading and BILL ADOPTED as recommended as Ordinance No. 5511 – UNANIMOUS**

Clerk to proceed with second publication

MINUTES:

There was no discussion.

(12:06)

3-77

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 18, 2002

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐

CONSENT

☒

DISCUSSION

SUBJECT:

RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT THIS MEETING:

Bill No. 2002-91 – Levies Assessment re: Special Improvement District No. 1477 - Tenaya Way and Azure Drive Sponsored by: Step Requirement (\$2,416,532.82 - Capital Projects Fund/Special Assessments)

Fiscal Impact

☐

No Impact

Amount: \$2,416,532.82

☐

Budget Funds Available

Dept./Division: Public Works/SID

☒

Augmentation Required

Funding Source: Capital Projects Fund/Special Assessments

PURPOSE/BACKGROUND:

Installation of pavement, curb and gutter, driveway approaches, traffic signals, storm drains, streetlights, sewer mains and laterals, and water mains and laterals.

RECOMMENDATION:

ADOPTION at 9/18/2002 City Council meeting pursuant to the 9/3/2002 Recommending Committee.

First Reading – 8/21/2002; First Publication – 9/6/2002

BACKUP DOCUMENTATION:

Bill No. 2002-91

MOTION:

WEEKLY – Second Reading and **BILL ADOPTED** as recommended as Ordinance No. 5512 – **UNANIMOUS**

Clerk to proceed with second publication

MINUTES:

There was no discussion.

(12:07)

3-97

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: SEPTEMBER 18, 2002

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐

CONSENT

☒

DISCUSSION

SUBJECT:

RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT THIS MEETING:

Bill No. 2002-92 – Levies Assessment re: Special Improvement District No. 1473 - Ann Road (US-95 Freeway to Allen Lane) Sponsored by: Step Requirement (\$381,165.08 - Capital Projects Fund/Special Assessments)

Fiscal Impact

☐

No Impact

Amount: \$381,165.08

☐

Budget Funds Available

Dept./Division: Public Works/SID

☒

Augmentation Required

Funding Source: Capital Projects Fund/Special Assessments

PURPOSE/BACKGROUND:

Installation of pavement, curb and gutter, sidewalks, driveway approaches, streetlights, sewer mains and laterals, and water mains and laterals.

RECOMMENDATION:

ADOPTION at 9/18/2002 City Council meeting pursuant to the 9/3/2002 Recommending Committee.

First Reading – 8/21/2002; First Publication – 9/6/2002

BACKUP DOCUMENTATION:

Bill No. 2002-92

MOTION:

WEEKLY – Second Reading and **BILL ADOPTED** as recommended as Ordinance No. 5513 – **UNANIMOUS**

Clerk to proceed with second publication

MINUTES:

There was no discussion.

(12:07)

3-116

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: SEPTEMBER 18, 2002

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐

CONSENT

☒

DISCUSSION

SUBJECT:

RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT THIS MEETING:

Bill No. 2002-93 – Annexation No. A-0019-02(A) – Property location: On the south side of Deer Springs Way, 660 feet west of El Capitan Way; Petitioned by: Concordia Homes; Acreage: 10.12 acres; Zoned: R-E (County zoning), U (ML-TC) (City equivalent). Sponsored by: Councilman Michael Mack

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

The proposed ordinance annexes certain real property generally located on the south side of Deer Springs Way, 660 feet west of El Capitan Way. The annexation is at the request of the property owner. The annexation process has now been completed in accordance with the NRS and the final date of annexation (September 27, 2002) is set by this ordinance.

RECOMMENDATION:

ADOPTION at 9/18/2002 City Council meeting pursuant to the 9/16/2002 Recommending Committee.

First Reading – 9/4/2002; First Publication – 9/6/2002

BACKUP DOCUMENTATION:

Bill No. 2002-93 and Location Map

MOTION:

WEEKLY – Second Reading and BILL ADOPTED as recommended as Ordinance No. 5514 – UNANIMOUS

Clerk to proceed with second publication

MINUTES:

There was no discussion.

(12:08)

3-136

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 18, 2002

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐

CONSENT

☒

DISCUSSION

SUBJECT:

RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT THIS MEETING:

Bill No. 2002-94 – Annexation No. A-0020-02(A) – Property location: On the north and south side of Deer Springs Way, 330 feet east of Fort Apache Road; Petitioned by: Concordia Homes; Acreage: 10.15 acres; Zoned: R-E (County zoning), U (ML-TC) (City equivalent). Sponsored by: Councilman Michael Mack

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

The proposed ordinance annexes certain real property generally located on the north and south side of Deer Springs Way, 330 feet east of Fort Apache Road. The annexation is at the request of the property owner. The annexation process has now been completed in accordance with the NRS and the final date of annexation (September 27, 2002) is set by this ordinance.

RECOMMENDATION:

ADOPTION at 9/18/2002 City Council meeting pursuant to the 9/16/2002 Recommending Committee.

First Reading – 9/4/2002; First Publication – 9/6/2002

BACKUP DOCUMENTATION:

Bill No. 2002-94 and Location Map

MOTION:

WEEKLY – Second Reading and BILL ADOPTED as recommended as Ordinance No. 5515 – UNANIMOUS

Clerk to proceed with second publication.

MINUTES:

There was no discussion.

(12:08)

3-152

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 18, 2002

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐

CONSENT

☒

DISCUSSION

SUBJECT:

RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT THIS MEETING:

Bill No. 2002-99 – Revises the distance separation requirements relating to taverns. Proposed by:
Robert S. Genzer, Director of Planning and Development

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

This bill will update the method of measuring distance separation requirements relating to taverns. The changes are designed to take into account the type of parcelization that occurs in commercial subdivisions.

RECOMMENDATION:

FORWARDED to Full Council with no recommendation by the 9/16/2002 Recommending Committee.

First Reading – 9/4/2002; First Publication – 9/6/2002

BACKUP DOCUMENTATION:

1. Bill No. 2002-99
2. Submitted at meeting: Proposed Language for Bill No. 2002-99 submitted by Attorney Robert Gronauer
3. Submitted at meeting: Requested Amendment to Bill No. 2002-99 submitted by Attorney Scott Eaton
4. Submitted at meeting: Proposed First Amendment

MOTION:

WEEKLY – Second Reading and BILL ADOPTED as a First Amendment as Ordinance No. 5516 – UNANIMOUS with MACK abstaining due to the potential impact of the ordinance on his brother-in-law ANDREW DONNER, owner of Timbers Bar & Grill

Clerk to proceed with second publication.

CITY COUNCIL MEETING OF SEPTEMBER 18, 2002
Finance and Business Services
Item 87 – Bill No. 2002-99

MINUTES:

NOTE: A Verbatim Transcript is made a part of the Final Minutes.

APPEARANCES:

CITY ATTORNEY BRAD JERBIC
CHIEF DEPUTY CITY ATTORNEY VAL STEED
ROBERT GENZER, Director of Planning & Development
TOM McGOWAN, resident of Las Vegas
ATTORNEY RUSSELL ROWE, 3800 Howard Hughes Parkway
HANK GORDON, 2500 West Sahara Avenue
ATTORNEY SCOTT EATON, Lionel, Sawyer & Collins, 300 South Fourth Street
ATTORNEY ROBERT GRONAUER, 3800 Howard Hughes Parkway
CHRIS CHRISTOFF, 335 West Cincinnati
ATTORNEY JENNIFER LAZOVICH, 3800 Howard Hughes Parkway
RAY SHAPIRO, 3321 North Buffalo, Suite 207

NOTE: MAYOR GOODMAN instructed staff to work with several of the speakers regarding additional future amendments involving waivers on additional rights-of-way, including the frontage road in Town Center.

NOTE: COUNCILWOMAN McDONALD and COUNCILMAN BROWN directed MR. GENZER to work with JIM DiFIORE of Business Services to clarify the tavern versus restaurant versus supper club designations or perhaps identify a new category to create a middle ground. During this research, COUNCILMAN BROWN instructed that staff look at something like the County's supper club license, which permits up to five slot machines in the area and the potential revenue. COUNCILWOMAN McDONALD added that the research should include clarification of wedding chapels with reception facilities which currently have an adverse impact on other projects due to the 1500 foot distance separation.

(11:24 – 11:25)

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: SEPTEMBER 18, 2002

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐

CONSENT

☒

DISCUSSION

SUBJECT:

RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT A LATER MEETING:

Bill No. 2002-95 – Repeals and replaces LVMC Chapter 6.50, relating to liquor control, and revises related zoning provisions. Proposed by: Mark Vincent, Director, Finance and Business Services

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

In addition to adding new alcoholic beverage licensing categories for wedding chapels, billiard parlors, convenience stores, art galleries, art studios, buses and limousines this bill reorganizes the presentation of the existing alcoholic beverage regulations, including moving related zoning matters from Chapter 6.50 to Title 19 of the City Code. Special use permit regulations for unlicensed locations hosting social events with alcoholic beverage sales are also established.

RECOMMENDATION:

This bill was HELD IN ABEYANCE to the 9/30/2002 Recommending Committee pursuant to the 9/16/2002 Recommending Committee for review, hearing and recommendation to the City Council for final action.

BACKUP DOCUMENTATION:

None

MOTION:

None required.

MINUTES:

Recommendation noted.

10/2/2002 Council Agenda

(12:44)

3-1538

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: SEPTEMBER 18, 2002

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐

CONSENT

☒

DISCUSSION

SUBJECT:

RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT A LATER MEETING:

Bill No. 2002-96 – Expands the grounds for denial of a privileged license, adds temporary licensing provisions and amends the waiver of suitability provisions. Proposed by: Mark Vincent, Director, Finance and Business Services

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

This bill authorizes the City Council to issue a temporary privileged business license in order to assess the applicant's fitness for a license and the appropriateness of the applicant's business location. This bill also incorporates the grounds for denial of a non-privileged business license application as grounds for denial of a privileged business license application, and requires that applications for waiver of suitability approval be more explanative regarding a principal's responsibilities.

RECOMMENDATION:

ADOPTION at 10/2/2002 City Council meeting pursuant to the 9/16/2002 Recommending Committee.

First Reading – 9/4/2002; First Publication – 9/20/2002

BACKUP DOCUMENTATION:

None

MOTION:

None required.

MINUTES:

Recommendation noted.

10/2/2002 Council Agenda

(12:44)

3-1538

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: SEPTEMBER 18, 2002

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐

CONSENT

☒

DISCUSSION

SUBJECT:

RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT A LATER MEETING:

Bill No. 2002-97 – Updates the portion of the Town Center Development Standards Manual that pertains to signs. Proposed by: Robert S. Genzer, Director of Planning and Development

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

This bill will update the Town Center Development Standards Manual as it relates to signs. The update includes a requirement for the submittal of a master sign plan for larger commercial projects and a number of minor changes in terminology and format.

RECOMMENDATION:

ADOPTION at 10/2/2002 City Council meeting pursuant to the 9/16/2002 Recommending Committee.

First Reading – 9/4/2002; First Publication – 9/20/2002

BACKUP DOCUMENTATION:

None

MOTION:

None required.

MINUTES:

Recommendation noted.

10/2/2002 Council Agenda

(12:44)

3-1538

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: SEPTEMBER 18, 2002

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐

CONSENT

☒

DISCUSSION

SUBJECT:

RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT A LATER MEETING:

Bill No. 2002-98 – Expands the boundaries of the Special Signage Sub-district within the Downtown Casino Overlay District. Proposed by: Robert S. Genzer, Director of Planning and Development

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Last January the Council adopted special sign standards for an area within the Downtown Casino Overlay District known as the Special Signage Sub-district, encompassing the area bounded by Ogden Avenue on the north, Las Vegas Boulevard on the east, Carson Avenue on the south, and Main Street on the west. The sign standards allow and encourage neon and animated signage consistent with the City's plans for the area. This bill expands the Sub-district to include the area bounded by Mesquite Avenue on the north, Casino Center Boulevard on the east, Ogden Avenue on the South, and Main Street.

RECOMMENDATION:

ADOPTION at 10/2/2002 City Council meeting pursuant to the 9/16/2002 Recommending Committee.

First Reading – 9/4/2002; First Publication – 9/20/2002

BACKUP DOCUMENTATION:

None

MOTION:

None required.

MINUTES:

Recommendation noted.

10/2/2002 Council Agenda

(12:44)

3-1538

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: SEPTEMBER 18, 2002`

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐

CONSENT

☒

DISCUSSION

SUBJECT:

RECOMMENDING COMMITTEE: BILL ELIGIBLE FOR ADOPTION AT A LATER MEETING:

Bill No. 2002-100 – Amends Ordinance No. 3992 (creating Special Improvement District No. 707 - Summerlin Area), and approves the First Amendment to the Development and Financing Agreement related thereto. Proposed by: Richard D. Goecke, Director of Public Works

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

Ordinance No. 3992, adopted in 1996, provided for the acquisition, construction, and installation of street, storm sewer, sanitary sewer and water projects in the Summerlin Area. This bill will amend Ordinance No. 3992 to add new projects and to adjust and revise project costs to reflect actual allowable reimbursements. The bill will also amend the Development and Financing Agreement related to this project.

RECOMMENDATION:

ADOPTION at 10/2/2002 City Council meeting pursuant to the 9/16/2002 Recommending Committee.

First Reading – 9/4/2002; First Publication – 9/20/2002

BACKUP DOCUMENTATION:

None

MOTION:

None required.

MINUTES:

Recommendation noted.

10/2/2002 Council Agenda

(12:44)
3-1538

AGENDA SUMMARY PAGE**CITY COUNCIL MEETING OF: SEPTEMBER 18, 2002**

DEPARTMENT: CITY ATTORNEY**DIRECTOR: BRADFORD R. JERBIC**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

NEW BILLS:

Bill No. 2002-101 – Annexation No. A-0013-02(A) – Property location: 330 feet north of Buckskin Avenue and 640 feet east of Cliff Shadows Parkway; Petitioned by: Donald and Beth Sylvester; Acreage: 2.54 acres; Zoned: R-U (County zoning), U (PCD) (City equivalent). Sponsored by: Councilman Larry Brown

Fiscal Impact☒**No Impact****Amount:**☐**Budget Funds Available****Dept./Division:**☐**Augmentation Required****Funding Source:****PURPOSE/BACKGROUND:**

The proposed ordinance annexes certain real property generally located 330 feet north of Buckskin Avenue and 640 feet east of Cliff Shadows Parkway. The annexation is at the request of the property owners. The annexation process has now been completed in accordance with the NRS and the final date of annexation (October 25, 2002) is set by this ordinance.

NOTE: The Lone Mountain West Master Plan has designated this parcel as ML (Medium Low Density Residential) which allows up to 12 dwelling units per acre.

RECOMMENDATION:

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

BACKUP DOCUMENTATION:

Bill No. 2002-101 and Location Map

MOTION:

None required.

MINUTES:

First Reading – Referred – COUNCILMEN WEEKLY and MACK

9/30/2002 Recommending Committee

10/2/2002 Council Agenda

(12:44)
3-1546

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 18, 2002

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐

CONSENT

☒

DISCUSSION

SUBJECT:

NEW BILLS:

Bill No. 2002-102 – Establishes the Downtown Entertainment Overlay District and corresponding regulatory provisions, and establishes a “tavern-limited” liquor license pertaining to the District.

Sponsored by: Mayor Oscar B. Goodman

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

This bill will create the Downtown Entertainment Overlay District, located in the area bounded by Ogden Avenue on the north, Carson Avenue on the south, Las Vegas Boulevard on the west and 8th Street on the east. The bill also will create a new limited liquor license for the District. The purpose of the bill is to encourage development within the District by removing the normal separation requirements that pertain to liquor establishments.

RECOMMENDATION:

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

BACKUP DOCUMENTATION:

Bill No. 2002-102

MOTION:

None required.

MINUTES:

First Reading – Referred – COUNCILMEN WEEKLY and MACK

9/30/2002 Recommending Committee

10/2/2002 Council Agenda

(12:44)

3-1546

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: SEPTEMBER 18, 2002

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐

CONSENT

☒

DISCUSSION

SUBJECT:

NEW BILLS:

Bill No. 2002-103 – Ordinance Creating Special Improvement District No. 1481 - El Capitan Way (Centennial Parkway to US-95) Sponsored by: Step Requirement (\$3,824,708.11 - Capital Projects Fund/Special Assessments)

Fiscal Impact

☐

No Impact

Amount: \$3,824,708.11

☐

Budget Funds Available

Dept./Division: Public Works/SID

☒

Augmentation Required

Funding Source: Capital Projects Fund - Special Assessments

PURPOSE/BACKGROUND:

The construction and installation of pavement, storm drain facilities, water mains, water laterals, and sewer laterals. In addition, curb and gutter, driveway approaches, fire hydrants and streetlights will be constructed on the east side of El Capitan Way and along the south side of Elkhorn Road.

RECOMMENDATION:

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

BACKUP DOCUMENTATION:

Bill No. 2002-103

MOTION:

None required.

MINUTES:

First Reading – Referred – COUNCILMEN WEEKLY and MACK

9/30/2002 Recommending Committee

10/2/2002 Council Agenda

(12:44)

3-1546

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: SEPTEMBER 18, 2002

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐

CONSENT

☒

DISCUSSION

SUBJECT:

NEW BILLS:

Bill No. 2002-104 – Ordinance Creating Special Improvement District No. 1495 – Buffalo Drive (Cheyenne Avenue to Lone Mountain Road) Sponsored by: Step Requirement (\$161,922.91 - Capital Projects Fund/Special Assessments)

Fiscal Impact

☐

No Impact

Amount: \$161,922.91

☐

Budget Funds Available

Dept./Division: Public Works/SID

☒

Augmentation Required

Funding Source: Capital Projects Fund - Special Assessments

PURPOSE/BACKGROUND:

The construction and installation of pavement, “L” type curb and gutter, sidewalk, driveway approaches, sewer laterals and streetlights.

RECOMMENDATION:

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

BACKUP DOCUMENTATION:

Bill No. 2002-104

MOTION:

None required.

MINUTES:

First Reading – Referred – COUNCILMEN WEEKLY and MACK

9/30/2002 Recommending Committee

10/2/2002 Council Agenda

(12:44)

3-1546

THE MORNING SESSION RECESSED AT 12:50 P.M.

AGENDA SUMMARY PAGE**CITY COUNCIL MEETING OF: SEPTEMBER 18, 2002**

DEPARTMENT: CITY CLERK**DIRECTOR: BARBARA JO (RONI) RONEMUS**☐**CONSENT**☐**DISCUSSION****SUBJECT:**

Any items from the afternoon session that the Council, staff and/or the applicant wishes to be stricken or held in abeyance to a future meeting may be brought forward and acted upon at this time

MOTION:

REESE – Motion to WITHDRAW WITH PREJUDICE Item 100 [DB-0016-02], WITHDRAW WITHOUT PREJUDICE Item 145 [GPA-0006-02] and Item 146 [Z-0021-02], TABLE Item 152 [GPA-0026-02] and Item 153 [Z-0050-02], and HOLD IN ABEYANCE Item 122 [U-0167-02], Item 124 [U-0045-02], Item 125 [U-0047-02], Item 126 [Z-0068-01(1)], Item 136 [Z-0034-02], and Item 137 [Z-0034-02(1)] to 10/2/2002 - UNANIMOUS with M. McDONALD and WEEKLY excused

MINUTES:

COUNCILMAN REESE asked staff whether Item 100 [DB-0016-02] was to be withdrawn with or without prejudice. ROBERT GENZER, Director of Planning and Development Department, replied that it does not matter because the request was for a two-month temporary sign. If the applicant is withdrawing the application, staff believes that they would not be back.

COUNCILMAN MACK questioned if Item 136 [Z-0034-02] and Item 137 [Z-0034-02(1)] were to be held in abeyance. ROBERT GENZER, Director of Planning and Development Department responded that he was not aware of such a request. COUNCILMAN MACK requested the items be abeyed to the 10/02/2002 City Council meeting.

COUNCILMAN REESE announced that Item 124 [U-0045-02], Item 125 [U-0047-02], Item 126 [Z-0068-01(1)] are to be held in abeyance until the 10/02/2002 City Council meeting.

COUNCILMAN REESE suggested that when COUNCILMEN McDONALD and WEEKLY arrived, any items they might want to hold in abeyance, action could be taken at that time.

There was no further discussion.

(2:07 – 2:12)

AGENDA SUMMARY PAGE**CITY COUNCIL MEETING OF: SEPTEMBER 18, 2002**

DEPARTMENT: NEIGHBORHOOD SERVICES**DIRECTOR: SHARON SEGERBLOM**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

Public hearing to consider the report of expenses to recover costs for abatement of nuisance/litter located at 2317 Reddon Circle. PROPERTY OWNER: LORETTA ANN BARLOW - Ward 4 (Brown)

Fiscal Impact☐**No Impact****Amount:** \$977.50☒**Budget Funds Available****Dept./Division:** Neighborhood Services/Response☐**Augmentation Required****Funding Source:** General Fund**PURPOSE/BACKGROUND:**

The condition of the property was a public hazard and an attractive nuisance. The Department of Neighborhood Services declared the property in violation and started legal notification. When no corrective action was taken nor an appeal filed, the Department of Neighborhood Services hired Weaver Construction to abate the problem. The subject property was corrected by removing all furniture, screens, wood, outside storage, trash, debris and high vegetation from all yard areas.

RECOMMENDATION:

That the City Council: 1. Approve the report of expenses in the amount of \$977.50 in order that the above charges be filed and recorded against the property, constituting a special assessment and lien. 2. Authorize that the Notice and Lien of Assessment be duly recorded with the County Treas.

BACKUP DOCUMENTATION:

1. Agenda Memo
2. Location Map
3. Report of Expenses
4. Contractor Disclosure
5. Notice of Public Hearing
6. Chronological List of Events
7. Copy of the Notice and Claim of Lien
8. Video shown but not submitted

MOTION:

BROWN – APPROVED the action of Neighborhood Services – UNANIMOUS with M. McDONALD and WEEKLY excused

CITY COUNCIL MEETING OF SEPTEMBER 18, 2002
Neighborhood Services Department
Item 98 – 2317 Reddon Circle

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

BOB HYDE, Neighborhood Services, presented a video of the subject property and stated that the condition of the property was a public hazard and an attractive nuisance. The property was declared in violation, and the Department of Neighborhood Services started legal notification. When no corrective action was taken or appeal filed, the Department of Neighborhood Services hired Weaver Construction to abate the problem. The subject property was corrected by removing all furniture, screens, wood, outside storage, trash, debris and high vegetation from all yard areas. MR. HYDE recommended the City Council approve the report of expenses in the amount of \$977.50, in order that the charges be filed and recorded against the property, constituting a special assessment and lien and authorize that the Notice and Lien of Assessment be filed and recorded with the County Treasurer's Office.

No one appeared in opposition.

There was no further discussion.

MAYOR GOODMAN declared the Public Hearing closed.

(2:12 – 2:14)

4-160

AGENDA SUMMARY PAGE**CITY COUNCIL MEETING OF: SEPTEMBER 18, 2002**

DEPARTMENT: NEIGHBORHOOD SERVICES**DIRECTOR: SHARON SEGERBLOM** ☐ **CONSENT** ☒ **DISCUSSION****SUBJECT:**

Public hearing to consider the report of expenses to recover costs for abatement of nuisance/litter located at 2000 Goldhill Avenue. PROPERTY OWNER: PATSY G. BARRETT AND/OR DON KENNETH, C/O DURYCE BARRETT - Ward 5 (Weekly)

Fiscal Impact

<input type="checkbox"/>	No Impact	Amount: \$2,027.45
<input checked="" type="checkbox"/>	Budget Funds Available	Dept./Division: Neighborhood Services/Response
<input type="checkbox"/>	Augmentation Required	Funding Source: General Fund

PURPOSE/BACKGROUND:

The condition of the property was a public hazard and an attractive nuisance. The Department of Neighborhood Services declared the property in violation and started legal notification. When no corrective action was taken nor an appeal filed, the Department of Neighborhood Services hired K. O. Construction to abate the problem. The subject property was corrected by removing the wooden fence; and all trash, debris, litter, piled tree limbs, dead vegetation, and discarded furniture.

RECOMMENDATION:

That the City Council: 1. Approve the report of expenses in the amount of \$2,027.45 in order that the above charges be filed and recorded against the property, constituting a special assessment and lien. 2. Authorize that the Notice and Lien of Assessment be duly recorded with the County Treas.

BACKUP DOCUMENTATION:

1. Agenda Memo
2. Location Map
3. Report of Expenses
4. Contractor Disclosure
5. Notice of Public Hearing
6. Chronological List of Events
7. Copy of the Notice and Claim of Lien
8. Video was shown but not submitted

MOTION:

WEEKLY – APPROVED the action of Neighborhood Services – UNANIMOUS

CITY COUNCIL MEETING OF SEPTEMBER 18, 2002
Neighborhood Services Department
Item 99 – 2000 Goldhill Avenue

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

BOB HYDE, Neighborhood Services, presented a video of the subject property and stated that the condition of the property was a public hazard and an attractive nuisance. The Department of Neighborhood Services declared the property in violation and started legal notification. When no corrective action was taken nor an appeal filed, the Department of Neighborhood Services hired K.O. Construction to abate the problem. The subject property was corrected by removing the wooden fence, all trash and debris, litter, piled tree limbs, dead vegetation and discarded furniture. MR. HYDE recommended that the City Council approve the report of expenses in the amount of \$2,027.45, in order that the charges be filed and recorded against the property, constituting a special assessment and lien, and authorize that the Notice and Lien of Assessment be filed and recorded with the County Treasurer's Office.

JOSEPH H WILLIAMS explained he is familiar and holds a mechanics' lien on this property. He thanked the City for cleaning the property and informed the Council that the Spartagus Project of Nevada, a non-profit organization, will use the property for public purposes. He asked the item be approved, but any foreclosure on the lien be delayed for at least six months, so he can get his financing in order and until the fulfillment of grant applications have been made.

MAYOR GOODMAN verified with DEPUTY CITY ATTORNEY DAN STILL that typically the City does not foreclose on those liens. The City's lien will go in front of the mechanics lien because of its priority. This will sort itself out once it goes through the financing process and MR. WILLIAMS can work with MR. SEMENZA in Neighborhood Services to work out the dollar amounts. DEPUTY CITY ATTORNEY STILL discussed with MAYOR GOODMAN that the City's lien does not supersede a tax lien; and is not greater than any other lien of assessment, but beyond that, the City supersedes a deed of trust.

AL GALLEGGO, citizen of Las Vegas, opined that seven years is too long for the County to sell a property with a lien. That is why many properties sit around for a long time before anything is done about it.

No one appeared in opposition.

There was no further discussion.

MAYOR GOODMAN declared the Public Hearing closed.

(2:14 – 2:19)

4-210

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: SEPTEMBER 18, 2002

DEPARTMENT: PLANNING AND DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

PLANNING & DEVELOPMENT DEPARTMENT PM SESSION INDEX:

CONSENT AGENDA

NO ITEMS

DISCUSSION/ACTION ITEMS

APPEAL OF DIRECTOR'S DECISION

- 100 DB-0016-02** - Mikhon Lighting and Sign on behalf of AHP Nevada, Inc.

REVIEW OF CONDITION - PUBLIC HEARING

- 101 ABEYANCE ITEM - Z-0071-00(3), U-0145-00(2), U-0146-00(2) and U-00147-00(2)** - Lena Piccoli-Ostunio on behalf of Outback Steakhouse, Inc.

TWO YEAR REQUIRED REVIEW - REVIEW OF CONDITION - PUBLIC HEARING

- 102 U-0019-00(2)** - MKP Management Company, Limited Liability Company

SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING

- 103 Z-0020-97(38)** - Valley Heath Systems, Limited Liability Company

MAJOR MODIFICATION TO THE LONE MOUNTAIN WEST MASTER PLAN - PUBLIC HEARING

- 104 Z-0024-99(44)** - Corey Morely

SITE DEVELOPMENT PLAN REVIEW RELATED TO Z-0024-99(44) - PUBLIC HEARING

- 105 Z-0067-99(2)** - Corey Morely

SPECIAL USE PERMIT RELATED TO Z-0024-99(44) AND Z-0067-99(2) - PUBLIC HEARING

- 106 ABEYANCE ITEM - U-0081-02** - Corey Morley

- 107 ABEYANCE ITEM - U-0082-02** - Corey Morley

- 108 ABEYANCE ITEM - U-0083-02** - Corey Morley

MASTER PLAN OF STREETS AND HIGHWAYS - PUBLIC HEARING

- 109 MSH-0003-02** - City of Las Vegas



PLANNING & DEVELOPMENT - Page Two

INDEX

City Council Meeting of September 18, 2002

VACATION RELATED TO MSH-0003-02 - PUBLIC HEARING

- 110 **VAC-0059-02** - City of Las Vegas

MASTER PLAN OF STREETS AND HIGHWAYS - PUBLIC HEARING

- 111 **MSH-0004-02** - City of Las Vegas
112 **MSH-0005-02** - Spring Mountain Ranch, Limited Liability Company on behalf of Richmond American Homes of Nevada, Inc.

VACATION RELATED TO MSH-0005-02 - PUBLIC HEARING

- 113 **VAC-0060-02** - Spring Mountain Ranch, Limited Liability Company on behalf of Richmond American Homes of Nevada, Inc.

MASTER PLAN OF STREETS AND HIGHWAYS - PUBLIC HEARING

- 114 **MSH-0006-02** - City of Las Vegas

VACATION - PUBLIC HEARING

- 115 **VAC-0057-02** - Craig Marketplace, Limited Liability Company, et al on behalf of Great American Capital
116 **VAC-0058-02** - Craig Marketplace, Limited Liability Company, et al on behalf of Great American Capital

VARIANCE - PUBLIC HEARING

- 117 **V-0052-02** - Pamela Rusch

TWO YEAR REQUIRED REVIEW - SPECIAL USE PERMIT - PUBLIC HEARING

- 118 **U-0027-93(3)** - Alpine Court Associates on behalf of Lamar Outdoor Advertising Company
119 **U-0036-95(2)** - Foster Day Corporation on behalf of Lamar Outdoor Advertising Company
120 **U-0025-98(2)** - Levitz Plaza, Limited Liability Company on behalf of Clear Channel Outdoor

FIVE YEAR REQUIRED REVIEW - SPECIAL USE PERMIT - PUBLIC HEARING

- 121 **U-0029-87(3)** - Lillian Hilde Trust On Behalf Of Clear Channel Outdoor

SPECIAL USE PERMIT - PUBLIC HEARING

- 122 **ABEYANCE ITEM - U-0167-01** - Gilbert Levy on behalf of Reagan National Advertising
123 **ABEYANCE ITEM - U-0089-02** - Krishna, Inc. on behalf of Bahram-Ganjei
124 **U-0045-02** - Brian and Julie Lee & Gary Licker
125 **U-0047-02** - Brian and Julie Lee & Gary Licker



PLANNING & DEVELOPMENT - Page Three

INDEX

City Council Meeting of September 18, 2002

SITE DEVELOPMENT PLAN REVIEW RELATED TO U-0045-02 AND U-0047-02 -
PUBLIC HEARING

- 126 **Z-0068-01(1)** - Brian and Julie Lee & Gary Licker

SPECIAL USE PERMIT - PUBLIC HEARING

- 127 **ABEYANCE ITEM - U-0072-02** - Admoon Yalda, et al on behalf of Kosa Nadir
128 **U-0097-02** - Jim Marsh American Corporation on behalf of McDonald's Corporation
129 **U-0098-02** - Jim Marsh American Corporation on behalf of McDonald's Corporation

SITE DEVELOPMENT PLAN REVIEW RELATED TO U-0097-02 AND U-0098-02 -
PUBLIC HEARING

- 130 **SD-0034-02** - Jim Marsh American Corporation on behalf of McDonald's Corporation

SPECIAL USE PERMIT - PUBLIC HEARING

- 131 **U-0099-02** - Smith's Food & Drug Centers, Inc. on behalf of Ralph's Grocery Company

SITE DEVELOPMENT PLAN REVIEW RELATED TO U-0099-02 - PUBLIC
HEARING

- 132 **Z-0088-81(13)** - Smith's Food & Drug Centers, Inc. on behalf of Ralph's Grocery Company

SPECIAL USE PERMIT - PUBLIC HEARING

- 133 **U-0100-02** - D.R. Horton, Inc.
134 **U-0102-02** - Cox Communications

VARIANCE RELATED TO U-0102-02 - PUBLIC HEARING

- 135 **V-0059-02** - Cox Communications

REZONING - PUBLIC HEARING

- 136 **ABEYANCE ITEM - Z-0034-02** - Grand Teton Thom, Limited Liability Company, et al on behalf of Thomas W. Fehrman

SITE DEVELOPMENT PLAN REVIEW RELATED TO Z-0034-02 - PUBLIC
HEARING

- 137 **ABEYANCE ITEM - Z-0034-02(1)** - Grand Teton Thom, Limited Liability Company, et al on behalf of Thomas W. Fehrman

REZONING - PUBLIC HEARING

City of Las Vegas

138 Z-0062-02 - V R A A M, Limited Liability Company



PLANNING & DEVELOPMENT - Page Four

INDEX

City Council Meeting of September 18, 2002

- SITE DEVELOPMENT PLAN REVIEW RELATED TO Z-0062-02 - PUBLIC HEARING
- 139 **Z-0062-02(1)** - V R A A M, Limited Liability Company
- REZONING - PUBLIC HEARING
- 140 **Z-0064-02** - Southwest Desert Equities, Limited Liability Company, et al on behalf of U.S. Home
- SITE DEVELOPMENT PLAN REVIEW RELATED TO Z-0064-02 - PUBLIC HEARING
- 141 **Z-0064-02(1)** - Southwest Desert Equities, Limited Liability Company, et al on behalf of U.S. Home
- REZONING - PUBLIC HEARING
- 142 **Z-0066-02** - Caminar – Las Vegas
- SPECIAL USE PERMIT RELATED TO Z-0066-02 - PUBLIC HEARING
- 143 **U-0088-02** - Caminar – Las Vegas
- SITE DEVELOPMENT PLAN REVIEW RELATED TO Z-0066-02 AND U-0088-02 - PUBLIC HEARING
- 144 **SD-0033-02** - Caminar – Las Vegas
- GENERAL PLAN AMENDMENT - PUBLIC HEARING
- 145 **ABEYANCE ITEM - GPA-0006-02** - Tony Wood-Yick and Louisa Wai-Yee Chow, et al
- REZONING RELATED TO GPA-0006-02 - PUBLIC HEARING
- 146 **ABEYANCE ITEM - Z-0021-02** - Tony Wood-Yick and Louisa Wai-Yee Chow, et al
- GENERAL PLAN AMENDMENT - PUBLIC HEARING
- 147 **GPA-0016-02** - John Elliot
- REZONING RELATED TO GPA-0016-02 - PUBLIC HEARING
- 148 **Z-0039-02** - John Elliot
- GENERAL PLAN AMENDMENT - PUBLIC HEARING



PLANNING & DEVELOPMENT - Page Five

INDEX

City Council Meeting of September 18, 2002

REZONING RELATED TO GPA-0021-02 - PUBLIC HEARING

150 **Z-0045-02** - David Litvak, et al

151 **Z-0044-02** - David Litvak, et al

GENERAL PLAN AMENDMENT - PUBLIC HEARING

152 **GPA-0026-02** - Robert M. and Patricia Schnider Family Trust on behalf of Omega Development, Limited Liability Company

REZONING RELATED TO GPA-0026-02 - PUBLIC HEARING

153 **Z-0050-02** - Robert M. and Patricia Schnider Family Trust on behalf of Omega Development, Limited Liability Company

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**CITY COUNCIL MEETING OF: SEPTEMBER 18, 2002****DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

APPEAL OF DIRECTOR'S DECISION - **DB-0016-02 - AHP NEVADA, INC. ON BEHALF OF MIKHON LIGHTING AND SIGN** - Appeal of a Director's Decision to deny a request to allow a Temporary Sign Permit for two 35 foot by 46 foot wall signs on property located at 2716 and 2720 North Tenaya Way within the Las Vegas Technology Center (APN's: 138-15-710-023 and 138-15-710-025), C-PB (Commercial-Planned Business Park), Ward 4 (Brown). Staff recommends DENIAL

PROTESTS RECEIVED BEFORE:**Planning Commission Mtg.****N/A****City Council Meeting****0****APPROVALS RECEIVED BEFORE:****Planning Commission Mtg.****N/A****City Council Meeting****0****RECOMMENDATION:**

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Appeal letter filed by Mikohn Lighting & Sign
5. Submitted at final agenda – Letter from Mikohn Lighting & Sign requesting withdrawal

MOTION:

REESE – Motion to WITHDRAW WITH PREJUDICE Item 100 [DB-0016-02], WITHDRAW WITHOUT PREJUDICE Item 145 [GPA-0006-02] and Item 146 [Z-0021-02], TABLE Item 152 [GPA-0026-02] and Item 153 [Z-0050-02], and HOLD IN ABEYANCE Item 122 [U-0167-02], Item 124 [U-0045-02], Item 125 [U-0047-02], Item 126 [Z-0068-01(1)], Item 136 [Z-0034-02], and Item 137 [Z-0034-02(1)] to 10/2/2002 - UNANIMOUS with M. McDONALD and WEEKLY excused

MINUTES:

COUNCILMAN REESE asked staff whether Item 100 [DB-0016-02] was to be withdrawn with or without prejudice. ROBERT GENZER, Director of Planning and Development Department, replied it does not matter because the request was for a two-month temporary sign. If the applicant is withdrawing the application, staff believes that they would not be back.

There was no further discussion.

(2:07 – 2:12)

4-1

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**CITY COUNCIL MEETING OF: SEPTEMBER 18, 2002****DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

ABEYANCE ITEM - REVIEW OF CONDITION - PUBLIC HEARING - **Z-0071-00(3), U-0145-00(2), U-0146-00(2) AND U-0147-00(2) - LENA PICCOLI-OSTUNIO ON BEHALF OF OUTBACK STEAKHOUSE, INC.** - Request for a Review of Condition to delete Condition of Approval #11 of Rezoning (Z-0071-00), Condition #9 of Special Use Permit (U-0145-00, U-0146-00, U-0147-00) and Condition #9 of Site Development Plan Review [Z-0071-00(1)] which required that no future Parking Variance be granted to allow for additional construction within an 8.26 acre commercial center located on the southeast corner of Charleston Boulevard and Odette Lane (APN: 163-05-502-001), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial), Ward 1 (M. McDonald). Staff recommends DENIAL

PROTESTS RECEIVED BEFORE:**Planning Commission Mtg.****City Council Meeting****APPROVALS RECEIVED BEFORE:****Planning Commission Mtg.****City Council Meeting****RECOMMENDATION:**

Staff Recommends DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
6. Submitted at City Council – Blank petition submitted by Mr. Dudley
7. Submitted at City Council – Tom McGowan's comments
8. Submitted at City Council – Correspondence and conditions Debra Matula sent to Councilman McDonald
9. Submitted at City Council – Attorney Moran submitted a videotape

MOTION:**M. McDONALD – STRIKE – UNANIMOUS**

NOTE: COUNCILMAN McDONALD disclosed that SAM GERMANY, who was his football and track coach at Western and at UNLV, lives in this neighborhood. He has spoken to him as a constituent and feels there is no conflict and will therefore vote on this item. DEPUTY CITY ATTORNEY BRYAN SCOTT confirmed that he could vote.

CITY COUNCIL MEETING OF SEPTEMBER 18, 2002

Planning and Development Department

Item 101 – Z-0071-00(3), U-0145-00(2), U-0146-00(2) AND U-0147-00(2)

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

J. T. MORAN, III, Moran and Associates, 630 South 4th Street, appeared on behalf of Ms. PECCOLE, Outback Development Corporation, and Green Street Corporation, Architect, as well as the future developer, STACY RUSH. MR. MORAN indicated that in 2000 there were conditions placed on this particular pad, which consists of three restaurants; Roy's, Carabbas, and Fleming's Prime, as well as a commercial pad in the back. When those conditions on development were implemented by the City of Las Vegas, they included a no waiver for parking. Currently, the parcel is approved for approximately 482 spaces, and in order to go forward with the proposed project, 13 additional spaces are needed.

ATTORNEY MORAN described the proposed project located on the southeast corner of Odette Lane and Charleston Boulevard. All three restaurants are currently licensed and have been in business for approximately eight months. The commercial development behind those restaurants will benefit by these operations. The Outback Steakhouse will be of the same quality and character as the existing restaurants. The project will not only meet the standards that have been mandated by COUNCILWOMAN McDONALD and COUNCILMAN McDONALD, but will exceed those standards by the materials that will be used. ATTORNEY MORAN presented a three dimensional schematic design. The project will comply with Title 19 reflecting the 3 to 1 ratio with respect to slope from residential uses. It will not exceed that in height. He mentioned the materials that will be used would be consistent with the high quality of the existing restaurants.

ATTORNEY MORAN recognized that the most important issue is the neighbors. He has been working with the developers and created a neighborhood action committee to discuss what type of project the residents wanted. The request for the 13 spaces is needed, however, the parking area may be redesigned to accommodate an additional 13 spaces. If the Variance is not voted on today, ATTORNEY MORAN suggested that the item could possibly be held in abeyance or the application withdrawn without prejudice to allow the applicant to submit a Site Development Plan review, after the neighbors have a consensus on what and where certain things are located. He gave MS. MATULA his word that he would sit down with her and allow her to voice her concerns, as far as location of trash receptacles and landscaping. His understanding is that the residents want this project, but are skeptical about the parking and its proximity to Rampart Boulevard and Charleston Boulevard.

TODD FARLOW, 240 North 19th Street, asked if a study has been done to see if the restaurants have the same hours of operation.

CITY COUNCIL MEETING OF SEPTEMBER 18, 2002

Planning and Development Department

Item 101 – Z-0071-00(3), U-0145-00(2), U-0146-00(2) AND U-0147-00(2)

MINUTES – Continued:

GUY DUDLEY, 1625 Odette Lane, submitted informational papers and videotape for the record. He does not oppose the proposed project, but is concerned about the developer trying to expand the retail center beyond what it was first agreed upon and what the City code permits. He strongly opposes deleting any of the conditions placed on this project as approved by the City Council in October 2000. The conditions were established to assure that Outback Steakhouse would develop a project as proposed and agreed to those conditions. Less than one year Outback Steakhouse requested a change in the hours of operation. He submitted a blank petition, similar to the one submitted to the City Council on November 21, 2001, with over 300 signatures, asking that conditions agreed upon at the City Council meeting of October 18, 2000, be respected. Now, once again, the developer is back before the Council to break their commitment. If the developer was not happy about the conditions, they should have dealt with those issues before the project was built. The project was approved with a condition that no parking waivers be granted on this site. MR. DUDLEY urged the City Council to require the developer to maintain the integrity of their commitment and continue to preserve the Valley West neighborhood. He looks forward to the project, but within the parameters of the original agreements that the square footage be fitted to the parking that is available. He asked that the request be denied.

MAYOR GOODMAN verified with MR. DUDLEY that the three existing restaurants did not affect the quality of life of this neighborhood. At this point, the site is not over-parked for what exists. Overall it is a nice development.

TOM McGOWAN, citizen of Las Vegas, indicated that the project design exceeds all applicable codes, recommendations and aesthetics. He fully supports the project and asked that the City Council approve the request. MR. McGOWAN'S comments have been made a part of the Final Minutes.

DEBRA MATULA, 1521 Padova Drive, appeared on behalf of the adjacent neighbors. She indicated that ATTORNEY MORAN has been helpful and that the overall communication with Outback Steakhouse has improved and great grounds have been accomplished. However, she asked that the parking variance be denied. She believes that the developer can work within the parameters that were originally established and those commitments should be honored. She believes that the project is a good project for the neighborhood because it has the kinds of tenants that the residents want. But the developer needs to stay within the boundaries of the rules that were established at the beginning. Those rules were put in place to protect the community and its neighborhood. She believes that the developer can find those 13 spaces somewhere else.

CITY COUNCIL MEETING OF SEPTEMBER 18, 2002

Planning and Development Department

Item 101 – Z-0071-00(3), U-0145-00(2), U-0146-00(2) AND U-0147-00(2)

MINUTES – Continued:

MS. MATULA was glad to see that the two-story building, to keep it not so obtrusive to the neighborhood, will have the second story stepped back so that it is not so high in the back where the neighbors are. The developer met some of the height requirements that she had submitted to COUNCILMAN McDONALD. She submitted for the record correspondence she sent COUNCILMAN McDONALD, which included a list of conditions that were agreed to by ATTORNEY MORAN.

COUNCILMAN McDONALD commended ATTORNEY MORAN for keeping in constant communication with the neighbors. He indicated that ATTORNEY MORAN could either request this item be held in abeyance, withdrawn or tabled. He is confident that the 13 spaces can be found and move this project forward.

ATTORNEY MORAN asked if there is a way to expedite the Site Development Plan Review directly to City Council once they find the 13 spaces. They need to find out if they need to break down on some of the square footage upstairs or possibly find some other spaces. COUNCILMAN McDONALD pointed out that they meet the 3 to 1 setback, they have the buffer across the back, took out the loading zone, and there will be no windows. ROBERT GENZER, Director of Planning and Development Department, stated his understanding was that the site plan review already occurred and all the conditions are in place. ATTORNEY MORAN remarked that his understanding was that once the review of condition was granted, then they would be allowed to submit the Site Development Plan Review. However, he will no longer request the review of condition and will find the 13 spaces to be completely compliant. They are looking for a way to get construction going as soon as possible. MR. GENZER asked ATTORNEY MORAN if they still intend to try to develop the rear building with two-stories as opposed to one. ATTORNEY MORAN replied that the building meets the 3 to 1 slope and they are hoping to go half way back on the second floor. MR. GENZER indicated that if the applicant changed from the approved site plan, they would have to come back for some type of review. Assuming they can provide the required amount of parking, this can be done by an administrative review, take it to the Planning Commission as a final action or bring it directly to the City Council. COUNCILMAN McDONALD requested that it be before the City Council as a public hearing. MR. GENZER emphasized that the applicant needs to understand that they will have to go through a Site Development Plan Review process, but it will come back directly to Council.

There was no further discussion.

MAYOR GOODMAN declared the Public Hearing closed.

(2:19 – 2:40)

4-340

CITY COUNCIL MEETING OF SEPTEMBER 18, 2002

Planning and Development Department

Item 101 – Z-0071-00(3), U-0145-00(2), U-0146-00(2) AND U-0147-00(2)

CONDITIONS:

Planning and Development

1. Any future Site Development Plan Review applications on this site shall be heard at a public hearing.
2. All other conditions of approval of Rezoning (Z-0071-00), Special Use Permits (U-0145-00, U-0146-00, U-0147-00), and Site Development Plan Review [Z-0071-00(1)] shall remain unchanged and shall be fully complied with.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**CITY COUNCIL MEETING OF: SEPTEMBER 18, 2002****DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

TWO YEAR REQUIRED REVIEW - REVIEW OF CONDITIONS - PUBLIC HEARING - U-0019-00(2) - MKP MANAGEMENT COMPANY, LIMITED LIABILITY COMPANY - Required Two Year Review of an approved Review of Condition of Approval #2 REGARDING A DEED RESTRICTION TO PROHIBIT THE SALE OF VEHICLES ON SUNDAYS at 4655 North Rancho Drive (APN: 138-02-101-009), C-2 (General Commercial), Ward 6 (Mack). Staff recommends DENIAL

PROTESTS RECEIVED BEFORE:**Planning Commission Mtg.****City Council Meeting****APPROVALS RECEIVED BEFORE:****Planning Commission Mtg.****City Council Meeting****RECOMMENDATION:**

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:**MACK – STRIKE with no future reviews – UNANIMOUS****MINUTES:**

MAYOR GOODMAN declared the Public Hearing open.

GWEN HARDING, 550 East Charleston Boulevard, appeared together with KEN MATONOVICH. The request is for a mandatory two-year review of the use permit issued for used car sales at 4655 North Rancho Drive. This use was approved on May 3^d, 2000, with a condition there be a deed restriction recorded that the used car dealership does not operate on Sundays. The applicant requested a review of this condition to make a condition of the use permit rather than a deed restriction. This was approved by the City Council on October 6th, 2000. MR. MATONOVICH has been a long time Las Vegas resident and owns two other businesses in the Valley. He and his partner intend to continue to comply with the Sunday closure condition. Additionally, he requested that there be no further reviews.

CITY COUNCIL MEETING OF SEPTEMBER 18, 2002
Planning and Development Department
Item 102 – U-0019-00(2)

MINUTES – Continued:

STEPHEN REILEY, Centennial Hills resident, asked that the Council follow staff recommendation for denial. He does not want to see auto sales on Sundays in Centennial Hills. He commented that in a non-related car dealership in Centennial Hills there is a display ramp, which is right in the driveway of the subject property. He asked if these ramps are legal. He does not want to see ramps along the Rancho Drive corridor. When a few months ago Truck World was approved, COUNCILMEN BROWN and REESE very diligently made the applicant comply with very strict standards regarding the amount of autos that can be put on the lot. He asked the ramp be removed and for someone to go see if they are packing too many autos on the site.

MR. MATONOVICH indicated there is a ramp, but it is set back from the driveway. He currently has approximately 55 cars on the entire lot, including front and back. The site is not overcrowded.

COUNCILMAN MACK commended MR. MATONOVICH for adhering to what the City is trying to achieve along the Rancho corridor. He is the first used car dealership in this corridor and an example that he would like to see followed. The application request is a review of condition regarding the restrictions to prohibit the sales of vehicles on Sunday. MR. MATONOVICH clarified that he has no intention of being open on Sundays. ROBERT GENZER, Director of Planning and Development Department, explained that the original condition required the restriction of no operations on Sundays to be written into the deed for this property. The applicant is now asking to remove the restriction from being in the deed and have it be a condition of the approved Special Use Permit. MR. MATONOVICH pointed out there never has been a restriction in the deed and that this is an error. He asked that there be no additional reviews because he has complied for two years and will continue to comply. He asked that the two-year review condition be removed.

COUNCILMAN MACK pointed out that this particular condition was placed on all new and used car dealerships within the Centennial Hills area and would like to remain consistent. He asked if the deed requirement that was placed on the initial condition could be removed. MR. GENZER commented that on May 3^d, 2000, the City Council approved the Special Use Permit with Condition #3 specifically stating that a deed restriction shall be recorded that the used car dealership shall not operate on Sundays. MS. HARDING explained that the Special Use Permit was approved with the deed restriction. Escrow had not closed for MR. MATONOVICH and his partner to become the official owners; therefore, nothing had been recorded. In the meantime, MR. MATONOVICH came back and asked for a review of that condition to not be a recorded deed restriction, but a condition of the use permit. That was granted on October 6th, 2000.

CITY COUNCIL MEETING OF SEPTEMBER 18, 2002
Planning and Development Department
Item 102 – U-0019-00(2)

MINUTES – Continued:

COUNCILMAN MACK moved to deny the removal of the condition to have Sunday sales and tied the deed restriction onto the use permit and all other conditions to remain the same. MR. GENZER clarified that on a previous review of condition on September 20th, 2000, the Council actually approved a review of Condition #3. Two conditions that were imposed state that the used car dealership shall not operate on Sundays, and this condition shall be tied to the Special Use Permit. The second condition states that a Special Use Permit shall be reviewed in two years, at which time if any problems are found, Condition #3 may be reimposed. Therefore, the only thing that is before the Council is the required two-year review. If no issues are found, the Council can either approve or strike this item with no additional reviews required, and the condition remains that they cannot operate on Sundays. COUNCILMAN MACK verified with DEPUTY CITY ATTORNEY BRYAN SCOTT that it would be best to strike the item with no additional reviews.

There was no further discussion.

MAYOR GOODMAN declared the Public Hearing closed.

(2:57 – 3:09)

4-1710

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**CITY COUNCIL MEETING OF: SEPTEMBER 18, 2002****DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - **Z-0020-97(38) - VALLEY HEALTH SYSTEMS, LIMITED LIABILITY COMPANY** - Request for a Site Development Plan Review FOR A 27,000 SQUARE FOOT ADDITION TO AN EXISTING HOSPITAL on 9.51 acres at 620 Shadow Lane (APN: 139-33-303-024 and 139-33-401-004), PD (Planned Development) Zone, Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:**Planning Commission Mtg.****0****City Council Meeting****0****APPROVALS RECEIVED BEFORE:****Planning Commission Mtg.****0****City Council Meeting****0****RECOMMENDATION:**

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

WEEKLY – APPROVED subject to conditions and amending Condition #5 as follows :

5. Conditions 3, 6 and 8 shall not apply until the last closing deadline for the calendar year 2002 if a Master Plan has not been submitted – UNANIMOUS

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

PRESTON HOWARD, 325 South Maryland Parkway, appeared on behalf of the applicant. He concurred with staff's conditions, with the exception of Condition #5. He explained that the Planning Commission stressed that a Master Plan had to be in place for the Valley Hospital property, to which the applicant agreed. In an effort not to hold up the building process and the building permit for this project, the Planning Commission presented an alternative situation and that certain conditions the staff had recommended would be waived if and when the applicant

CITY COUNCIL MEETING OF SEPTEMBER 18, 2002
Planning and Development Department
Item 103 – Z-0020-97(38)

MINUTES – Continued:

submitted a master plan. MR. HOWARD indicated that Condition #5 as written is the converse of that. If they do not submit a master plan, those conditions will apply. He pointed out Conditions 3, 4 and 7 are incorrect and should be Conditions 3, 6 and 9. MARGO WHEELER, Planning and Development Department, clarified the correct conditions to be mentioned in Condition #5 are 3, 6 and 8, not 9. This would mean all of the on-site and off-site improvements would not be required if a master plan is submitted.

No one appeared in opposition.

There was no further discussion.

MAYOR GOODMAN declared the Public Hearing closed.

(3:09 – 3:12)

4-2210

CONDITIONS:

Planning and Development

1. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
2. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.
3. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect the following:
 - A. A minimum ten-foot wide sidewalk shall be provided adjacent to both the Rose Street and Valerie Street frontages with minimum 24-inch box trees spaced a maximum of 30 feet on-center within tree wells.
 - B. Reflect one of two options for landscaping as set forth in the Las Vegas Medical District Plan, which requires either a thirty-six inch tall decorative masonry wall immediately adjacent to the parking area with a minimum six-foot wide landscape planter or a ten-foot wide landscape planter with adequate shrubbery to buffer the vehicles.

CITY COUNCIL MEETING OF SEPTEMBER 18, 2002
Planning and Development Department
Item 103 – Z-0020-97(38)

CONDITIONS – Continued:

- C. Additional parking lot landscaping in the form of landscape finger islands, to the greatest extent possible, without compromising the parking needs of the hospital.
- D. Remove the existing chain link fence along Rose Street and Valerie Street.
- 4. A Master Plan for Valley Hospital shall be submitted to the City of Las Vegas Planning Commission for review and approval prior to the last closing deadline for the calendar year 2002 or prior to certificate of occupancy, whichever occurs first.
- 5. Conditions 3, 4 and 7 shall not apply until the last closing deadline for the calendar year 2002 if a Master Plan has not been submitted.
- 6. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. [Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.]
- 7. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
- 8. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize ‘shoe-box’ fixtures and downward-directed lights. Wallpack lighting shall utilize ‘shoe-box’ fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
- 9. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19A.12.050.
- 10. All City Code requirements and design standards of all City departments must be satisfied.

CITY COUNCIL MEETING OF SEPTEMBER 18, 2002
Planning and Development Department
Item 103 – Z-0020-97(38)

CONDITIONS – Continued:

Public Works

11. Dedicate an additional 5 feet of right-of-way for total radii of 15 feet on the southwest corner of Pinto Lane and Shadow Lane, the southeast corner of Tonopah Drive and Valerie Street, and on the northwest corner of Shadow Lane and Goldring Avenue prior to the issuance of any permits. This condition will not be enforced where such dedication would conflict with existing signage or other private improvements within the areas required for dedication.
12. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site.
13. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed driveway access, on site circulation and parking lot layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222a.
14. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, or the submittal of any construction drawings for this site. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits for this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted prior to the

CITY COUNCIL MEETING OF SEPTEMBER 18, 2002
Planning and Development Department
Item 103 – Z-0020-97(38)

CONDITIONS – Continued:

issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.

Alternatively, in lieu of a Traffic Impact Analysis, the applicant may participate in a reasonable alternative mutually acceptable to the applicant and the Department of Public Works.

15. An addendum to the previously approved Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any permits or submittal of any construction drawings for this site. Provide and improve all drainageways as recommended in the approved drainage plan/study.
16. Provide a 5 foot side pedestrian walkway easement adjacent to the right-of-way where a 10 foot wide sidewalk is required, concurrent with development.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**CITY COUNCIL MEETING OF: SEPTEMBER 18, 2002****DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

MAJOR MODIFICATION TO THE LONE MOUNTAIN WEST MASTER PLAN - PUBLIC HEARING - **Z-0024-99(44)** - **COREY MORLEY** - Request for a Major Modification to the Lone Mountain West Master Development Plan to add approximately five acres to the Plan and to designate the northern half VC (Village Commercial) and the southern half as ML (Medium Low Density Residential) adjacent to the southwest corner of Lone Mountain Road and Cliff Shadows Parkway (APN: 137-01-101-005), U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] under Resolution of Intent to PD (Planned Development), Ward 4 (Brown). The Planning Commission (7-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:**Planning Commission Mtg.****70****City Council Meeting****0****APPROVALS RECEIVED BEFORE:****Planning Commission Mtg.****0****City Council Meeting****0****RECOMMENDATION:**

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Protest letter from Douglas Hirschey

MOTION:**BROWN – APPROVED subject to condition – UNANIMOUS****MINUTES:**

MAYOR GOODMAN declared the Public Hearing open.

REBECCA RALSTON, Swisher and Hall Architects, 7373 Peak Drive, #250, appeared on behalf of the applicant and concurred with staff's recommendations.

TODD FARLOW, 240 North 19th Street, asked if at the meeting of August 29th the trails were addressed. COUNCILMAN BROWN replied he does not believe this project has a trail component.

CITY COUNCIL MEETING OF SEPTEMBER 18, 2002
Planning and Development Department
Item 104 – Z-0024-99(44)

MINUTES – Continued:

No one appeared in opposition.

There was no further discussion.

MAYOR GOODMAN declared the Public Hearing closed.

NOTE: See Item 105 [Z-0067-99(2)], Item 106 [U-0081-02], Item 107 [U-0082-02] and Item 108 [U-0083-02] for related discussion.

(3:12 – 3:19)

4-2370

CONDITIONS:

Planning and Development

1. Conformance to the Lone Mountain West Master Development Plan and Guidelines.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**CITY COUNCIL MEETING OF: SEPTEMBER 18, 2002****DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

SITE DEVELOPMENT PLAN REVIEW RELATED TO Z-0024-99(44) - PUBLIC HEARING - **Z-0067-99(2) - COREY MORLEY** - Request for a Site Development Plan Review FOR A CONVENIENCE STORE WITH GASOLINE PUMPS AND A TAVERN on approximately two acres adjacent to the southwest corner of Lone Mountain Road and Cliff Shadows Parkway (APN: 137-01-101-005), U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] under Resolution of Intent to PD (Planned Development), Ward 4 (Brown). The Planning Commission (7-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:**Planning Commission Mtg.****70****City Council Meeting****0****APPROVALS RECEIVED BEFORE:****Planning Commission Mtg.****0****City Council Meeting****0****RECOMMENDATION:**

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Protest letter from Douglas Hirschey

MOTION:

BROWN – APPROVED subject to conditions – UNANIMOUS

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

REBECCA RALSTON, Swisher and Hall Architects, 7373 Peak Drive, #250, appeared on behalf of the applicant and concurred with staff's recommendations.

COUNCILMAN BROWN asked if the applicant would have to submit the final plan for the station and tavern. MARGO WHEELER, Planning and Development Department, replied that Condition #2 requires the elevation to be reviewed by the Planning Commission prior to the issuance of any permits.

No one appeared in opposition.

There was no further discussion.

CITY COUNCIL MEETING OF SEPTEMBER 18, 2002
Planning and Development Department
Item 105 – Z-0067-99(2)

MINUTES – Continued:

MAYOR GOODMAN declared the Public Hearing closed.

NOTE: See Item 104 [Z-0024-99(44)], Item 106 [U-0081-02], Item 107 [U-0082-02] and Item 108 [U-0083-02] for related discussion.

(3:12 – 3:19)

4-2370

CONDITIONS:

Planning and Development

1. The impact statement required by Senate Bill 191 in accordance with the requirements of Ordinance No. 5227 shall be submitted to the Planning and Development Department with application for final approval action on the Site Development Plan Review.
2. An elevation review shall be approved by the Planning Commission prior to approval of issuance or any permits, any site grading, and all development activity on this site.
3. The site plan and landscape plan submitted shall be revised to depict within the northern portion of the site the required transportation trail required by Master Plan Transportation Trails Element Plan, prior to approval of issuance or any permits, any site grading, and all development activity on this site.
4. The site plan shall be revised to depict a minimum of two loading spaces, one loading space on each building, to Municipal code Title 19A.10.020 standards.
5. The site plan is revised to depict one van accessible parking space
6. Freestanding signage shall be limited to a maximum height of twelve feet. All freestanding signs shall utilize materials and colors reflecting the building design.
7. Contribute \$38,700 toward the development of park 2 (in lieu of Open Space), prior to the issuance of any permits, site grading, and all development activity on this site.
8. No utility vault exceeding 27 cubic feet in size may encroach into approved landscape areas along public street frontages. Additionally, no waivers from required landscaping or approved signage standards shall be allowed due to the placement of any utility vaults.

CITY COUNCIL MEETING OF SEPTEMBER 18, 2002
Planning and Development Department
Item 105 – Z-0067-99(2)

CONDITIONS – Continued:

9. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed buildings. Lighting standards within the parking lots shall be no more than 20 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights.
10. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
11. All exterior lighting shall meet the standards of LVMC section 19A.08.060(C).

Public Works

12. Dedicate 40 feet of right-of-way adjacent to this site for Cliff Shadows Parkway, 30 feet for Peaceful Dawn Avenue, a 20 foot radius on the northwest corner of Cliff Shadows Parkway and Peaceful Dawn Avenue, and a 25 foot radius on the southwest corner of Lone Mountain Road and Cliff Shadows Parkway prior to the issuance of permits for this site.
13. Construct half-street improvements including appropriate overpaving, if legally able, on Lone Mountain Road, Peaceful Dawn Avenue, and Cliff Shadows Parkway adjacent to this site concurrent with development of this site. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site.
14. Extend public sewer in Lone Mountain Road to the northwest corner of this site to a depth and location acceptable to the City Engineer. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits as required by the Department of Public Works. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.
15. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed driveway access, on site circulation and parking lot layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222a.

CITY COUNCIL MEETING OF SEPTEMBER 18, 2002
Planning and Development Department
Item 105 – Z-0067-99(2)

CONDITIONS – Continued:

16. An update to the Lone Mountain West Master Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map further subdividing this site, whichever may occur first. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits or the recordation of a Map further subdividing this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.
17. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map further subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map further subdividing, whichever may occur first, if allowed by the City Engineer.
18. Site development to comply with all applicable conditions of approval for Z-67-99 and all other subsequent site-related actions.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: SEPTEMBER 18, 2002

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

ABEYANCE ITEM - SPECIAL USE PERMIT RELATED TO Z0024-99(44) AND Z-0067-99(2) - PUBLIC HEARING - **U-0081-02 - COREY MORLEY** - Request for a Special Use Permit FOR THE SALE OF PACKAGED LIQUOR FOR OFF-PREMISE CONSUMPTION IN CONJUNCTION WITH A PROPOSED CONVENIENCE STORE adjacent to the southwest corner of Lone Mountain Road and Cliff Shadows Parkway (APN: 137-01-101-005), U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] under Resolution of Intent to PD (Planned Development), Ward 4 (Brown). The Planning Commission (7-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

1

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Protest letter from Douglas Hirschey

MOTION:

BROWN – APPROVED subject to conditions – UNANIMOUS

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

REBECCA RALSTON, Swisher and Hall Architects, 7373 Peak Drive, #250, appeared on behalf of the applicant and concurred with staff's recommendations.

No one appeared in opposition.

There was no discussion.

CITY COUNCIL MEETING OF SEPTEMBER 18, 2002
Planning and Development Department
Item 106 – U-0081-02

MINUTES – Continued:

MAYOR GOODMAN declared the Public Hearing closed.

NOTE: See Item 104 [Z-0024-99(44)], Item 105 [Z-0067-99(2)], Item 107 [U-0082-02] and Item 108 [U-0083-02] for related discussion.

(3:12 – 3:19)

4-2370

CONDITIONS:

Planning and Development

1. Approval of this Special Use Permit does not constitute approval of a liquor license.
2. The sale of alcoholic beverages shall be limited to the sale of beer and wine only.
3. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.
4. Conformance to the Conditions of Approval for Site Development Plan Review [Z-0067-99(2)].
5. If this Special Use Permit is not exercised within two years after the approval, this Special Use Permit shall be void unless an Extension of Time has been granted.
6. All City Code requirements and all City departments' design standards shall be met.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**CITY COUNCIL MEETING OF: SEPTEMBER 18, 2002****DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

ABEYANCE ITEM - SPECIAL USE PERMIT RELATED TO Z-0024-99(44), Z-0067-99(2) AND U-0081-02 - PUBLIC HEARING - **U-0082-02 - COREY MORLEY** - Request for a Special Use Permit FOR GASOLINE SALES IN CONJUNCTION WITH A PROPOSED CONVENIENCE STORE at the southwest corner of Lone Mountain Road and Cliff Shadows Parkway (APN: 137-01-101-005), U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] under Resolution of Intent to PD (Planned Development), Ward 4 (Brown). The Planning Commission (7-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:**Planning Commission Mtg.****1****City Council Meeting****0****APPROVALS RECEIVED BEFORE:****Planning Commission Mtg.****0****City Council Meeting****0****RECOMMENDATION:**

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Protest letter from Douglas Hirschey

MOTION:

BROWN – APPROVED subject to conditions – UNANIMOUS

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

REBECCA RALSTON, Swisher and Hall Architects, 7373 Peak Drive, #250, appeared on behalf of the applicant and concurred with staff's recommendations.

No one appeared in opposition.

There was no discussion.

CITY COUNCIL MEETING OF SEPTEMBER 18, 2002
Planning and Development Department
Item 107 – U-0082-02

MINUTES – Continued:

MAYOR GOODMAN declared the Public Hearing closed.

NOTE: See Item 104 [Z-0024-99(44)], Item 105 [Z-0067-99(2)] and Item 108 [U-0083-02] for related discussion.

(3:12 – 3:19)

4-2370

CONDITIONS:

Planning and Development

1. Conformance to the Conditions of Approval for Site Development Plan Review [Z-0067-99(2)].
2. If this Special Use Permit is not exercised within two years after the approval, this Special Use Permit shall be void unless an Extension of Time has been granted.
3. All City Code requirements and all City departments' design standards shall be met.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: SEPTEMBER 18, 2002

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

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DISCUSSION

SUBJECT:

ABEYANCE ITEM - SPECIAL USE PERMIT RELATED TO Z-0024-99(44), Z-0067-99(2), U-0081-02 AND U-0082-02 - PUBLIC HEARING - **U-0083-02 - COREY MORLEY** - Request for a Special Use Permit FOR A TAVERN adjacent to the southwest corner of Lone Mountain Road and Cliff Shadows Parkway (APN: 137-01-101-005), U(Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] under Resolution of Intent to PD (Planned Development), Ward 4 (Brown). The Planning Commission (7-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

1

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Protest letter from Douglas Hirschey

MOTION:

BROWN – APPROVED subject to conditions – UNANIMOUS

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

REBECCA RALSTON, Swisher and Hall Architects, 7373 Peak Drive, #250, appeared on behalf of the applicant and concurred with staff's recommendations.

COUNCILMAN BROWN indicated that during the neighborhood meeting, the residents expressed concern about the ultimate design and building of the gas station and the tavern. In regards to Condition #2 of Item 105 [Z-0067-99(2)], he asked whether it would be a public hearing once it comes back before the Planning Commission. MARGO WHEELER, Planning and Development Department,

replied that it is not indicated as such, but they can certainly do that with the Council's direction. MS. RALSTON agreed and stated they intend to provide a nice product.

CITY COUNCIL MEETING OF SEPTEMBER 18, 2002
Planning and Development Department
Item 108 – U-0083-02

MINUTES – Continued:

COUNCILMAN BROWN indicated that the commercial component of the project would be asked to make contribution to the City park in that area. The applicant has spoken about hardships and costs incurred in moving dirt, grading and fixing those things that were illegally done in the area. If a compelling case is made at the time of the commercial being developed, the Council would at least entertain some kind of a waiver or a reduction of the fees.

No one appeared in opposition.

There was no further discussion.

MAYOR GOODMAN declared the Public Hearing closed.

NOTE: See Item 104 [Z-0024-99(44)], Item 105 [Z-0067-99(2)], Item 106 [U-0081-02] and Item 107 [U-0082-02] for related discussion..

(3:12 – 3:19)

4-2370

CONDITIONS:

Planning and Development

1. Approval of this Special Use Permit does not constitute approval of a liquor license.
2. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.
3. Conformance to the Conditions of Approval for Site Development Plan Review [Z-0067-99(2)].
4. If this Special Use Permit is not exercised within two years after the approval, this Special Use Permit shall be void unless an Extension of Time has been granted.
5. All City Code requirements and all City departments' design standards shall be met.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**CITY COUNCIL MEETING OF: SEPTEMBER 18, 2002****DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

MASTER PLAN OF STREETS AND HIGHWAYS - PUBLIC HEARING - **MSH-0003-02** - **CITY OF LAS VEGAS** - Request to amend the Master Plan of Streets and Highways to designate Lone Mountain Road as an 80-foot wide Secondary Collector Roadway from the Western Beltway to the Westernmost City Limit, Ward 4 (Brown). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:**Planning Commission Mtg.****0****City Council Meeting****0****APPROVALS RECEIVED BEFORE:****Planning Commission Mtg.****0****City Council Meeting****0****RECOMMENDATION:**

The Planning Commission (6-0-1 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

BROWN – APPROVED subject to conditions – UNANIMOUS

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

BART ANDERSON, Public Works Department, appeared on behalf of the City of Las Vegas. He explained that as the City expands to the north and west in this particular area, traffic infrastructure is needed to provide for the orderly development. Currently, Lone Mountain is not on the Master Plan of Streets and Highways. By adding it to the Master Plan, it will ensure adequate traffic access capacity is available for future development.

COUNCILMAN BROWN clarified with MR. ANDERSON that even if the road is there, it is not on the Master Plan of Streets and Highways; therefore, the City cannot dictate it will be a certain width or length. By putting it on the master plan, nobody can put in something other than a road. As far as who would initiate a petition to BLM, if there is a compelling public need for the right-of-way immediately,

the City can initiate that. However, there are certain tortoise fees and other fees that the City would rather the community bear if it is to service their product.

CITY COUNCIL MEETING OF SEPTEMBER 18, 2002
Planning and Development Department
Item 109 – MSH-0003-02

MINUTES – Continued:

No one appeared in opposition.

There was no further discussion.

MAYOR GOODMAN declared the Public Hearing closed.

(3:19 – 3:21)

4-2680

CONDITIONS:

Public Works

1. Upon development, additional rights-of-way for dedicated right turn lanes, dual left turn lanes, and/or appropriate transition elements shall be required at the discretion of the Traffic Engineer.
2. City Staff is empowered to modify this application, if necessary, because of technical concerns or because of other related review actions as long as current City of Las Vegas requirements are still complied with and the intent of the submitted Master Plan of Streets and Highways is not changed.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: SEPTEMBER 18, 2002

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

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DISCUSSION

SUBJECT:

VACATION RELATED TO MSH-0003-02 - PUBLIC HEARING - **VAC-0059-02 - CITY OF LAS VEGAS** - Petition to vacate the south ten feet of Lone Mountain Road, generally located west of Barden Road, Ward 4 (Brown). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

The Planning Commission (6-0-1 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

BROWN – APPROVED subject to conditions – UNANIMOUS

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

BART ANDERSON, Public Works Department, appeared on behalf of the City of Las Vegas and stated that in some cases, there exist 50-foot half-street dedications now in conformance to the approved master plan calling for a 40-foot half street that was just approved. The southern 10-feet are being eliminated as extraneous.

No one appeared in opposition.

There was no further discussion.

MAYOR GOODMAN declared the Public Hearing closed.

(3:21 – 3:22)

4-2800

CITY COUNCIL MEETING OF SEPTEMBER 18, 2002
Planning and Development Department
Item 110 – VAC-0059-02

CONDITIONS:

1. All public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Vacation.
2. Reservation of easements for the facilities of the various utility companies together with reasonable ingress thereto and egress therefrom shall be provided if required.
3. All development shall be in conformance with code requirements and design standards of all City Departments.
4. The Order of Vacation shall not be recorded until all of the above conditions have been met provided, however, that Condition #1 may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way being vacated must be retained.
5. If the Order of Vacation is not recorded within one (1) year after approval by the City Council or an Extension of Time is not granted by the Planning Director, then approval will terminate and a new petition must be submitted.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: SEPTEMBER 18, 2002

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

MASTER PLAN OF STREETS AND HIGHWAYS - PUBLIC HEARING - **MSH-0004-02** - **CITY OF LAS VEGAS** - Request to amend the Master Plan of Streets and Highways to designate Jones Boulevard as an 80-foot wide Secondary Collector Roadway from Iron Mountain Road to the Northernmost City Limit, Ward 6 (Mack). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

The Planning Commission (6-0-1 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

MACK – APPROVED subject to conditions – UNANIMOUS

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

BART ANDERSON, Public Works Department, appeared on behalf of the City of Las Vegas and indicated that as development occurs to the north portion of the City, the public streets need to be extended on the master plan to accommodate future growth. Currently, the Jones Boulevard Master Plan terminates at Iron Mountain Road. This action will extend it to the northern City limits.

No one appeared in opposition.

There was no further discussion.

MAYOR GOODMAN declared the Public Hearing closed.

(3:22 – 3:23)

4-2838

CITY COUNCIL MEETING OF SEPTEMBER 18, 2002
Planning and Development Department
Item 111 – MSH-0004-02

CONDITIONS:

Public Works

1. Upon development, additional rights-of-way for dedicated right turn lanes, dual left turn lanes, and/or appropriate transition elements shall be required at the discretion of the Traffic Engineer.
2. City Staff is empowered to modify this application, if necessary, because of technical concerns or because of other related review actions as long as current City of Las Vegas requirements are still complied with and the intent of the submitted Master Plan of Streets and Highways is not changed.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**CITY COUNCIL MEETING OF: SEPTEMBER 18, 2002****DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

MASTER PLAN OF STREETS AND HIGHWAYS - PUBLIC HEARING - MSH-0005-02 - SPRING MOUNTAIN RANCH, LIMITED LIABILITY COMPANY ON BEHALF OF RICHMOND AMERICAN HOMES OF NEVADA, INC. - Request to amend the Master Plan of Streets and Highways to designate Frontage Road as a 70-foot wide Secondary Collector Roadway between Ackerman Avenue and approximately 1000 feet south of Horse Drive, Ward 6 (Mack). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:**Planning Commission Mtg.****1****City Council Meeting****1****APPROVALS RECEIVED BEFORE:****Planning Commission Mtg.****0****City Council Meeting****0****RECOMMENDATION:**

The Planning Commission (6-0-1 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted at City Council – Opposition letter from Charles Brechler, PE

MOTION:

MACK – ABEYANCE to 10-02-2002 – UNANIMOUS

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

GREG BARGULL, WRG Design, 2260 Corporate Circle, Suite #430, Henderson, appeared on behalf of the applicant and concurred with staff's conditions.

CARL BRECHLER, Brechler and Bell Consulting Engineers, appeared to represent Grand Teton LLC, owner of the parcel located at the northeast corner of Grand Teton Drive and Sky Pointe Drive. He submitted a letter outlining his client's concerns. His client's main concern is that within the next couple of years Grand Teton Drive will be extended across US 95 by elevating it, which will take off all southern access to the parcel. If Ackerman Avenue is vacated, that will take all the northern access to

the parcel out and reduce the master plan on Sky Pointe Drive to 70 feet. This will reduce the level of service on the only remaining access to the parcel. He asked the Council to deny the request.

CITY COUNCIL MEETING OF SEPTEMBER 18, 2002
Planning and Development Department
Item 112 – MSH-0005-02

MINUTES – Continued:

MR. BARGULL explained that the Tentative Map requires a terminus cul-de-sac at the end of Ackerman Avenue. There is no continuation through to the Frontage Road; however, there is access to the site to the south. As Far as the Frontage Road, the developer is required by the City Engineer, and agreed to install a full width 51-foot street within the 70-foot right-of-way providing access from the north.

COUNCILMAN MACK pointed out that he also has concerns about this application, and understands Grand Teton LLC's concern. However, he indicated a clear record was made to the residents on Ackerman Avenue that it was going to be a cul-de-sac, and the owners of Grand Teton LLC were aware of it as well. The concern is how will they get access. Grand Teton Drive will become an overpass and will pass through their property and end up at DR Horton property. There has been some discussion in Public Works about having access heading to the west to the commercial property, and then potentially having some access up to the Frontage Road or Sky Pointe Drive. At this time, he is not comfortable moving forward and requested that both items be held in abeyance for two weeks. He would like to meet with Public Works, the applicant, and the adjacent property owners.

There was no further discussion.

MAYOR GOODMAN declared the Public Hearing closed.

NOTE: All discussion for Item 112 [MSH-0005-02] and Item 113 [VAC-0060-02] took place under Item 112 [MSH-0005-02].

(3:23 – 3:29)

4-2880

CONDITIONS:**Public Works**

1. Upon development, additional rights-of-way for dedicated right turn lanes, dual left turn lanes, and/or appropriate transition elements shall be required at the discretion of the Traffic Engineer.
2. City Staff is empowered to modify this application, if necessary, because of technical concerns or because of other related review actions as long as current City of Las Vegas requirements are still complied with and the intent of the submitted Master Plan of Streets and Highways is not changed.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**CITY COUNCIL MEETING OF: SEPTEMBER 18, 2002****DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

VACATION RELATED TO MSH-0005-02 - PUBLIC HEARING - VAC-0060-02 - **SPRING MOUNTAIN RANCH, LIMITED LIABILITY COMPANY ON BEHALF OF RICHMOND AMERICAN HOMES** - Petition to vacate a portion of Ackerman Avenue located east of Rancho Drive (U.S. Highway 95), Ward 6 (Mack). The Planning Commission (7-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:**Planning Commission Mtg.****1****City Council Meeting****1****APPROVALS RECEIVED BEFORE:****Planning Commission Mtg.****0****City Council Meeting****0****RECOMMENDATION:**

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Opposition letter from Charles Brechler, PE

MOTION:

MACK – ABEYANCE to 10-02-2002 – UNANIMOUS

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

GREG BARGULL, WRG Design, 2260 Corporate Circle, Suite #430, Henderson, appeared on behalf of the applicant.

There was no discussion.

MAYOR GOODMAN declared the Public Hearing closed.

(3:23 – 3:29)

4-2880

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**CITY COUNCIL MEETING OF: SEPTEMBER 18, 2002****DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

MASTER PLAN OF STREETS AND HIGHWAYS - PUBLIC HEARING - **MSH-0006-02** - **CITY OF LAS VEGAS** - Request to amend the Master Plan of Streets and Highways to reduce the width of Moccasin Road from 120-feet to 100-feet from Kyle Canyon Road to Decatur Boulevard, Ward 6 (Mack). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:**Planning Commission Mtg.****0****City Council Meeting****0****APPROVALS RECEIVED BEFORE:****Planning Commission Mtg.****1****City Council Meeting****0****RECOMMENDATION:**

The Planning Commission (6-0-1 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

MACK – ABEYANCE to 10/16/2002 – UNANIMOUS

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

BART ANDERSON, Public Works Department, appeared on behalf of the City and explained that due to the unusual alignment of Moccasin Road and the way it impacts developments, most of the right-of-way will come out of a single parcel, rather than being split between two adjacent parcels. Because of that and the fact there is a required trail adjacent to it, staff feels the right-of-way may be excessive, considering the additional right-of-way was intended to be landscaping. The landscaping is now going to be incorporated into the adjacent trail. The reduction of the right-of-way as requested will impact the visual corridor.

COUNCILMAN BROWN indicated the City is trying to gather support for a master plan in the area of Tule Springs State Park, BLM land, and the County shooting range. He asked if

CITY COUNCIL MEETING OF SEPTEMBER 18, 2002
Planning and Development Department
Item 114 – MSH-0006-02

MINUTES – Continued:

holding this would harm the City and let the ultimate width of the roadway and alignment be part of that planning process. MR. ANDERSON responded that the City is not harmed, but private development is beginning to occur in this area and adjoining properties and that is what is driving this issue. If it is going to be reduced, it would be beneficial to do it before development comes up and build half of it rather than having to figure out how to deal with the excess right-of-way past build out. Staff feels it would be easier to proactively consider it at this time, but will take the Council direction and hold it. However, the master plan may in fact change the alignment entirely as a result of future planning actions. In that case, what is being requested today will not really preclude the Council from doing that in the future as well. It currently exists as 120 feet on this alignment. The alignment is not being changed today, but only reduced to 100 feet.

COUNCILMAN MACK asked why it is being reduced to 100 feet. MR. ANDERSON explained the intent of the 120-foot right-of-way was to incorporate landscaping to provide a parkway type view corridor. Subsequent to that original plan, the trails plan identified this as a trails corridor as well. Therefore, in addition to the landscaping that was to be provided, a trail landscaping will be provided as well. The combination of the two strongly impacts the ability to develop the parcels because of the strange angle, impacting predominantly one side and not the other. In order to minimize that impact and because of the trail, the additional landscaping that would have been in the parkway is redundant because it is now being provided by the trail.

COUNCILMAN BROWN pointed out that the majority of this alignment is currently either City leased BLM property; State owned or State leased BLM land. With the exception of a few privately owned parcels near Durango Drive and Moccasin Road, he is not sure if there is any privately owned land within this alignment. MR. ANDERSON noted that from Jones Boulevard eastward and south of this alignment is privately held. The predominant area of interest at this time is between Jones Boulevard and Decatur Boulevard. COUNCILMAN BROWN deferred to COUNCILMAN MACK and indicated his concern is from Jones Boulevard to Kyle Canyon. He would like to take a step back and look at this corridor, as far as where it may or may not end up in the planning process.

COUCILMAN MACK requested the item be held in abeyance for 30 days to discuss those concerns with Public Works.

No one appeared in opposition.

CITY COUNCIL MEETING OF SEPTEMBER 18, 2002
Planning and Development Department
Item 114 – MSH-0006-02

MINUTES – Continued:

There was no further discussion.

MAYOR GOODMAN declared the Public Hearing closed.

(3:29 – 3:34)

4-3210

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**CITY COUNCIL MEETING OF: SEPTEMBER 18, 2002****DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:****VACATION - PUBLIC HEARING - VAC-0057-02 - CRAIG MARKETPLACE, LIMITED LIABILITY COMPANY, ET AL ON BEHALF OF GREAT AMERICAN CAPITAL -**

Petition to vacate a twenty-foot wide ingress/egress easement generally located on property adjacent to the southeast corner of Craig Road and Tenaya Way, Ward 6 (Mack). The Planning Commission (7-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:**Planning Commission Mtg.****0****City Council Meeting****0****APPROVALS RECEIVED BEFORE:****Planning Commission Mtg.****0****City Council Meeting****0****RECOMMENDATION:**

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:**MACK – APPROVED subject to conditions – UNANIMOUS**

NOTE: COUNCILMAN MACK disclosed that his brother-in-law, ANDREW DONNER, owns Timbers Bar and Grill at this site. He has not discussed these items and does not believe they will have any impact on his business, therefore he will be voting on both items.

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

MICHAEL PETRY, 7310 Smoke Ranch Road, concurred with staff's recommendations for both Item 115 [VAC-0057-02] and Item 116 [VAC-0058-02].

TODD FARLOW, 240 North 19th Street, asked if the illegal sign on the side of the building had been removed. He explained that during the Planning Commission meeting, two of the Commissioners requested that the illegal sign be removed. MR. PETRY replied that he does not know. At this time, he is only requesting the vacation.

CITY COUNCIL MEETING OF SEPTEMBER 18, 2002
Planning and Development Department
Item 115 – VAC-0057-02

MINUTES – Continued:

No one appeared in opposition.

There was no further discussion.

MAYOR GOODMAN declared the Public Hearing closed.

NOTE: All discussion for Item 115 [VAC-0057-02] and Item 116 VAC-0058-02] was held under Item 115 [VAC-0057-02].

(3:34 – 3:37)

4-3510

CONDITIONS:

1. All public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Vacation.
2. All development shall be in conformance with code requirements and design standards of all City Departments.
3. The Order of Vacation shall not be recorded until all of the above conditions have been met provided, however, that Condition #1 may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five-foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way being vacated must be retained.
4. If the Order of Vacation is not recorded within one (1) year after approval by the City Council or an Extension of Time is not granted by the Planning Director, then approval will terminate and a new petition must be submitted.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: SEPTEMBER 18, 2002

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

VACATION - PUBLIC HEARING - VAC-0058-02 - CRAIG MARKETPLACE, LIMITED LIABILITY COMPANY, ET AL ON BEHALF OF GREAT AMERICAN CAPITAL -
Petition to vacate a twenty-foot wide public sewer easement generally located on property adjacent to the southeast corner of Craig Road and Tenaya Way, Ward 6 (Mack). The Planning Commission (7-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

MACK – APPROVED subject to conditions – UNANIMOUS

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

MICHAEL PETRY, 7310 Smoke Ranch Road, concurred with staff's recommendations for both Item 115 [VAC-0057-02] and Item 116 [VAC-0058-02].

No one appeared in opposition.

There was no discussion.

MAYOR GOODMAN declared the Public Hearing closed.

(3:34 – 3:37)

4-3510

CITY COUNCIL MEETING OF SEPTEMBER 18, 2002
Planning and Development Department
Item 116 – VAC-0058-02

CONDITIONS:

1. All public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Vacation.
2. All development shall be in conformance with code requirements and design standards of all City Departments.
3. The Order of Vacation shall not be recorded until all of the above conditions have been met provided, however, that Condition #1 may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five-foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way being vacated must be retained.
4. If the Order of Vacation is not recorded within one (1) year after approval by the City Council or an Extension of Time is not granted by the Planning Director, then approval will terminate and a new petition must be submitted.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**CITY COUNCIL MEETING OF: SEPTEMBER 18, 2002****DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

VARIANCE - PUBLIC HEARING - **V-0052-02** - **PAMELA RUSCH** - Request for a Variance TO ALLOW A ZERO-FOOT SIDE SETBACK WHERE 5 FEET IS THE MINIMUM SIDE YARD SETBACK REQUIRED FOR AN EXISTING ATTACHED CARPORT at 105 North Cimarron Road (APN: 138-28-814-007), R-1 (Single Family Residential) Zone, Ward 2 (L.B. McDonald). Staff recommends DENIAL. The Planning Commission (5-2 vote) recommends APPROVAL

PROTESTS RECEIVED BEFORE:**Planning Commission Mtg.****2****City Council Meeting****0****APPROVALS RECEIVED BEFORE:****Planning Commission Mtg.****9****City Council Meeting****5****RECOMMENDATION:**

Staff recommends DENIAL. The Planning Commission (5-2 vote) recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted after final agenda – Five support letters

MOTION:

L.B. McDONALD – APPROVED subject to conditions – UNANIMOUS with MACK not voting

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

PAMELA RUSCH, 105 North Cimarron Road, presented a photograph depicting where she enclosed the gate. She indicated both neighbors on each side of her property signed a statement in support of the carport. Neither the photograph nor the statements were submitted for the record.

No one appeared in opposition.

CITY COUNCIL MEETING OF SEPTEMBER 18, 2002
Planning and Development Department
Item 117 – V-0052-02

MINUTES – Continued:

There was no further discussion.

MAYOR GOODMAN declared the Public Hearing closed.

(3:37 – 3:39)

5-10

CONDITIONS:

Planning and Development

1. The applicant shall meet with the Department of Building and Safety regarding obtaining a building permit.
2. This Variance shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: SEPTEMBER 18, 2002

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

TWO YEAR REQUIRED REVIEW - SPECIAL USE PERMIT - PUBLIC HEARING - U-0027-93(3) - ALPINE COURT ASSOCIATES ON BEHALF OF LAMAR OUTDOOR ADVERTISING COMPANY - This is an Appeal filed by Lamar Outdoor Advertising from the Denial by the Planning Commission of a Required Two Year Review on an approved Special Use Permit WHICH ALLOWED A 40 FOOT HIGH, 14 FOOT X 48 FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 940 South Decatur Boulevard (APN: 138-36-802-009), C-1 (Limited Commercial) Zone, Ward 1 (M. McDonald). The Planning Commission (4-2-1 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

The Planning Commission (4-2-1 vote) and staff recommend DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Appeal letter filed by Lamar Advertising Company

MOTION:

L.B. McDONALD – Granted the Appeal; thereby APPROVING the Required Two Year Review on an approved Special Use Permit subject to conditions and amending Condition #1 to a one-year review – UNANIMOUS with M. McDONALD abstaining because he may be entering into a business proposition with an executive from one of the billboard companies

NOTE: COUNCILMAN McDONALD announced that he would be abstaining from voting on Item 118 [U-0027-93(3)], Item 119 [U-0036-95(2)], Item 120 [U-0025-98(2)] and Item 121 [U-0029-87(3)] because he may be entering into a business proposition with an executive from one of the billboard companies and therefore will be abstaining until the matter is resolved.

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

CITY COUNCIL MEETING OF SEPTEMBER 18, 2002
Planning and Development Department
Item 118 – U-0027-93(3)

MINUTES – Continued:

SCOTT NAFTZGER, Lamar Outdoor Advertising, 1863 Helm Drive, disagreed with the Planning Commission decision. The billboard has existed since its construction without any adverse affect in the neighborhood and will continue to do so.

No one appeared in opposition.

There was no further discussion.

MAYOR GOODMAN declared the Public Hearing closed.

(3:39 – 3:41)

5-70

CONDITIONS:

Planning and Development

1. The Special Use Permit shall be reviewed in two years at which time the City Council may require the off-premise sign to be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the off-premise advertising (billboard) sign is removed.
2. If the existing off-premise advertising sign structure is removed, this Special Use Permit shall be expunged and a new off-premise advertising sign structure shall not be erected in the same location unless: (1) a new Special Use Permit is approved for the new structure by the City Council, or (2) the location is in compliance with all applicable standards of Title 19A including, but not limited to, distance separation requirements, or (3) a Variance to the applicable standards of Title 19A has been approved for the new structure by the City Council.
3. The off-premise advertising (billboard) sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the off-premise advertising (billboard) sign.
4. All City Code requirements and design standards of all City Departments must be satisfied.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: SEPTEMBER 18, 2002

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

TWO YEAR REQUIRED REVIEW - SPECIAL USE PERMIT - PUBLIC HEARING - U-0036-95(2) - **FOSTER DAY CORPORATION ON BEHALF OF LAMAR OUTDOOR ADVERTISING COMPANY** - This is an Appeal filed by Lamar Outdoor Advertising from the Denial by the Planning Commission of a Required Two Year Review on an approved Special Use Permit WHICH ALLOWED A 40 FOOT HIGH, 14-FOOT X 48-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 2401 North Decatur Boulevard (APN: 138-13-801-083), C-1 (Limited Commercial) Zone, Ward 5 (Weekly). The Planning Commission (5-1-1 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

The Planning Commission (5-1-1 vote) and staff recommend DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Appeal letter filed by Lamar Advertising Company

MOTION:

WEEKLY – Granted the Appeal; thereby APPROVING the Required Two Year Review on an approved Special Use Permit subject to conditions – UNANIMOUS with M. McDONALD abstaining because he may be entering into a business proposition with an executive from one of the billboard companies

NOTE: COUNCILMAN McDONALD announced that he would be abstaining from voting on Item 118 [U-0027-93(3)], Item 119 [U-0036-95(2)], Item 120 [U-0025-98(2)] and Item 121 [U-0029-87(3)] because he may be entering into a business proposition with an executive from one of the billboard companies and therefore will be abstaining until the matter is resolved.

CITY COUNCIL MEETING OF SEPTEMBER 18, 2002
Planning and Development Department
Item 119 – U-0036-95(2)

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

SCOTT NAFTZGER, Lamar Outdoor Advertising, 1863 Helm Drive, appeared on behalf of the applicant and disagreed with the Planning Commission recommendation for denial. The billboard has existed in this area since its construction without any adverse effects.

COUNCILMAN WEEKLY verified with Planning staff that the use will be reviewed in two years.

No one appeared in opposition.

There was no further discussion.

MAYOR GOODMAN declared the Public Hearing closed.

(3:41 – 3:42)

5-130

CONDITIONS:

Planning and Development

1. The Special Use Permit shall be reviewed in two years at which time the City Council may require the off-premise sign to be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the off-premise advertising (billboard) sign is removed.
2. If the existing off-premise advertising sign structure is removed, this Special Use Permit shall be expunged and a new off-premise advertising sign structure shall not be erected in the same location unless: (1) a new Special Use Permit is approved for the new structure by the City Council, or (2) the location is in compliance with all applicable standards of Title 19A including, but not limited to, distance separation requirements, or (3) a Variance to the applicable standards of Title 19A has been approved for the new structure by the City Council.
3. The off-premise advertising (billboard) sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the off-premise advertising (billboard) sign.

CITY COUNCIL MEETING OF SEPTEMBER 18, 2002
Planning and Development Department
Item 119 – U-0036-95(2)

CONDITIONS – Continued:

4. All City Code requirements and design standards of all City Departments must be satisfied.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**CITY COUNCIL MEETING OF: SEPTEMBER 18, 2002****DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

TWO YEAR REQUIRED REVIEW - SPECIAL USE PERMIT - PUBLIC HEARING - U-0025-98(2) - LEVITZ PLAZA, LIMITED LIABILITY COMPANY ON BEHALF OF CLEAR CHANNEL OUTDOOR - Required Two Year Review of an approved Special Use Permit WHICH ALLOWED A 74 FOOT HIGH, 14 FOOT X 48 FOOT OFF PREMISE ADVERTISING (BILLBOARD) SIGN at 73 South Martin L. King Boulevard (APN: 139-33-510-002), M (Industrial) Zone, Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:**Planning Commission Mtg.****0****City Council Meeting****0****APPROVALS RECEIVED BEFORE:****Planning Commission Mtg.****0****City Council Meeting****0****RECOMMENDATION:**

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

WEEKLY – APPROVED subject to conditions – UNANIMOUS with M. McDONALD abstaining because he may be entering into a business proposition with an executive from one of the billboard companies

NOTE: COUNCILMAN McDONALD announced that he would be abstaining from voting on Item 118 [U-0027-93(3)], Item 119 [U-0036-95(2)], Item 120 [U-0025-98(2)] and Item 121 [U-0029-87(3)] because he may be entering into a business proposition with an executive from one of the billboard companies and therefore will be abstaining until the matter is resolved.

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

MISTY BAIER, Clear Channel Outdoor, 1211 West Bonanza Road, appeared on behalf of the applicant and concurred with staff's recommendations.

CITY COUNCIL MEETING OF SEPTEMBER 18, 2002
Planning and Development Department
Item 120 – U-0025-98(2)

MINUTES - Continued:

No one appeared in opposition.

There was no further discussion.

MAYOR GOODMAN declared the Public Hearing closed.

(3:42 – 3:43)

5-170

CONDITIONS:

Planning and Development

1. The Special Use Permit shall be reviewed in four years at which time the City Council may require the off-premise sign to be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the off-premise advertising (billboard) sign is removed.
2. If the existing off-premise advertising sign structure is removed, this Special Use Permit shall be expunged and a new off-premise advertising sign structure shall not be erected in the same location unless: (1) a new Special Use Permit is approved for the new structure by the City Council, or (2) the location is in compliance with all applicable standards of Title 19A including, but not limited to, distance separation requirements, or (3) a Variance to the applicable standards of Title 19A has been approved for the new structure by the City Council.
3. The off-premise advertising (billboard) sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the off-premise advertising (billboard) sign.
4. All City Code requirements and design standards of all City Departments must be satisfied.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**CITY COUNCIL MEETING OF: SEPTEMBER 18, 2002****DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

FIVE YEAR REQUIRED REVIEW - SPECIAL USE PERMIT - PUBLIC HEARING - U-0029-87(3) - **LILLIAN HILDE TRUST ON BEHALF OF CLEAR CHANNEL OUTDOOR** - This is an Appeal filed by Clear Channel Outdoor from the Denial by the Planning Commission of a Required Five Year Review on an approved Special Use Permit WHICH ALLOWED A 75 FOOT HIGH, 14 FOOT X 48 FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 2421 Stewart Avenue (APN: 139-35-612-044), C-1 (Limited Commercial) Zone, Ward 3 (Reese). The Planning Commission (7-0 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:**Planning Commission Mtg.****1****City Council Meeting****1****APPROVALS RECEIVED BEFORE:****Planning Commission Mtg.****0****City Council Meeting****0****RECOMMENDATION:**

The Planning Commission (7-0 vote) and staff recommend DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Appeal letter filed by Clear Channel
5. Submitted at meeting – A letter sent to Sullins Tire & Auto Service from NAI Horizon Commercial Property Management

MOTION:

REESE – Granted the Appeal; thereby APPROVING the Required Five Year Review on an approved Special Use Permit subject to conditions and amending Condition #1 to a six-month review – UNANIMOUS with M. McDONALD abstaining because he may be entering into a business proposition with an executive from one of the billboard companies.

NOTE: COUNCILMAN McDONALD announced that he would be abstaining from voting on Item 118 [U-0027-93(3), Item 119 [U-0036-95(2), Item 120 [U-0025-98(2) and Item 121 [U-0029-87(3) because he may be entering into a business proposition with an executive from one of the billboard companies and therefore will be abstaining until the matter is resolved.

CITY COUNCIL MEETING OF SEPTEMBER 18, 2002
Planning and Development Department
Item 121 – U-0029-87(3)

MOTION – Continued:

NOTE: COUNCILMAN REESE disclosed that he knows CHRISTOPHER McGAREY, who is the manager of the shopping center where his barbershop is located. DEPUTY CITY ATTORNEY BRYAN SCOTT verified that there is no conflict and he can vote on the item.

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

MISTY BAIER, Clear Channel Outdoor, 1211 West Bonanza Road, submitted a letter from NAI Horizon, who is the property manager of the property. NAI Horizon represents the owner of the property, but not the building. MS. BAIER indicated that the Planning Commission's biggest problem with approving this once again was the condition of the property. She agreed and that is why the letter is a first attempt at getting them to clean up, bring the property back up to code or what she feels is a decent condition. MS. BAIER concurred with staff's conditions with the two-year review to try and bring the property back up. There have been no substantial changes between the residential and their parcel since the last approval.

TODD FARLOW, 240 North 19th Street, stated that west of this property there is a small shopping center, kitty-corner there is the new senior citizens community center, and to the south there is Stewart Plaza. However, the corner where this billboard is located is an eyesore. The whole purpose was that these people would gain revenue from the billboard so they could clean the property. They have not done so and he asked the Council to deny the request.

COUNCILMAN REESE moved to approve the request with a six-month review. If the property is not cleaned, the sign will have to be removed.

MS. BAIER asked if the tire shop is violating any codes requiring the owner to clean the property. The tire shop actually owns their own building, and the property management cannot evict them. COUNCILMAN REESE suggested MS. BAIER contact MR. SEMENZA, Neighborhood Services, to see if there are code violations. MS. BAIER responded she would do her best to see the property is cleaned. COUNCILMAN REESE felt this is an appropriate location for the sign. He informed MS. BAIER to contact his office if she needs help facilitating a meeting with MR. SEMENZA. The property owner needs to be made aware that if the property is not cleaned, the sign will have to be removed.

CITY COUNCIL MEETING OF SEPTEMBER 18, 2002
Planning and Development Department
Item 121 – U-0029-87(3)

MINUTES – Continued:

There was no further discussion.

MAYOR GOODMAN declared the Public Hearing closed.

(3:43 – 3:50)

5-190

CONDITIONS:

Planning and Development

1. The Special Use Permit shall be reviewed in two years at which time the City Council may require the off-premise sign to be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the off-premise advertising (billboard) sign is removed.
2. If the existing off-premise advertising sign structure is removed, this Special Use Permit shall be expunged and a new off-premise advertising sign structure shall not be erected in the same location unless: (1) a new Special Use Permit is approved for the new structure by the City Council, or (2) the location is in compliance with all applicable standards of Title 19A including, but not limited to, distance separation requirements, or (3) a Variance to the applicable standards of Title 19A has been approved for the new structure by the City Council.
3. The off-premise advertising (billboard) sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the off-premise advertising (billboard) sign.
4. All City Code requirements and design standards of all City Departments must be satisfied.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**CITY COUNCIL MEETING OF: SEPTEMBER 18, 2002****DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

ABEYANCE ITEM - SPECIAL USE PERMIT - PUBLIC HEARING - **U-0167-01** - **GILBERT LEVY ON BEHALF OF REAGAN NATIONAL ADVERTISING** - Appeal filed by Reagan National Advertising from the Denial by the Planning Commission of a request for a Special Use Permit FOR A PROPOSED 24-FOOT BY 28-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 401 West Bonanza Road (APN: 139-27-401-016), M (Industrial) Zone, Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:**Planning Commission Mtg.****1****City Council Meeting****0****APPROVALS RECEIVED BEFORE:****Planning Commission Mtg.****0****City Council Meeting****0****RECOMMENDATION:**

The Planning Commission (7-0 vote) and staff recommend DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
4. Staff Report
5. Submitted after final agenda – Letter from Singer and Brown requesting an abeyance

MOTION:

REESE – Motion to **WITHDRAW WITH PREJUDICE** Item 100 [DB-0016-02], **WITHDRAW WITHOUT PREJUDICE** Item 145 [GPA-0006-02] and Item 146 [Z-0021-02], **TABLE** Item 152 [GPA-0026-02] and Item 153 [Z-0050-02], and **HOLD IN ABEYANCE** Item 122 [U-0167-02], Item 124 [U-0045-02], Item 125 [U-0047-02], Item 126 [Z-0068-01(1)], Item 136 [Z-0034-02], and Item 137 [Z-0034-02(1)] to 10/2/2002 - **UNANIMOUS** with M. McDONALD and WEEKLY excused

MINUTES:

There was no discussion.

(2:07 – 2:12)

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**CITY COUNCIL MEETING OF: SEPTEMBER 18, 2002****DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

ABEYANCE ITEM - SPECIAL USE PERMIT - PUBLIC HEARING - **U-0089-02 - KRISHNA INC. ON BEHALF OF BAHRAM-GANJEI** - Appeal filed by Bahram Ganjei from the denial by the Planning Commission on a request for a Special Use Permit FOR THE SALE OF BEER AND WINE FOR OFF-PREMISE CONSUMPTION IN CONJUNCTION WITH AN EXISTING MARKET on property located at 124 South 6th Street (APN: 139-34-611-051), C-2 (General Commercial), Ward 5 (Weekly). The Planning Commission (5-1-1 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:**Planning Commission Mtg.****0****City Council Meeting****1****APPROVALS RECEIVED BEFORE:****Planning Commission Mtg.****0****City Council Meeting****0****RECOMMENDATION:**

The Planning Commission (5-1-1 vote) and staff recommend DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Appeal letter filed by Bahram Ganjei

MOTION:

WEEKLY – ABEYANCE to 10-02-2002 – UNANIMOUS

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

The applicant was not present.

COUNCILMAN WEEKLY explained that he spoke with the applicant and asked him not to come in. He has been there to visit the market and met with the applicant. The applicant is under a review with Metro and requested this item be held in abeyance until after his investigation is completed.

CITY COUNCIL MEETING OF SEPTEMBER 18, 2002
Planning and Development Department
Item 123 – U-0089-02

MINUTES – Continued:

CARLA DONA, 622 East Carson, Your Place or Mine for Lunch, stated that she heard this item is scheduled for approval. She was surprised because the City representative gave strong assurances to the property owners in reference to Bill 2002-102, the Overlay Entertainment District, that off-premise liquor sale would not be allowed.

COUNCILMAN WEEKLY replied that she should have contacted his office to ascertain this was true. At the last City Council meeting, this item was held in abeyance because he was out of town, and he wanted an opportunity to meet with the applicant. He emphasized that the City Council is in the process of cleaning up the downtown area, but these situations are dealt with on a case-by-case basis. Applicants have a right to file an application and come in and ask for this privileged license. COUNCILMAN WEEKLY indicated that he recently met with the applicant and also visited his store. He reiterated that the applicant's background check is being conducted. It would be unfair to make any kind of decision at this time. He will make a recommendation once the background check is completed.

MS. DONA noted that the business owners in the downtown area feel the City Council should support them by supporting the Planning Commission's recommendation for denial. If granted, this liquor license would attract the very clientele that Metro is trying to control. Her customers walk from the west side of Las Vegas Boulevard down to her shop. They will not walk past a gathering of clientele that this liquor license is going to attract. Additionally, it will attract clientele from 7th, 8th and 9th Streets and Carson Avenue, adding more traffic passing in front of her sandwich shop. Approximately four years ago, before Metro began to clean up this area, one of her customers was approached three times for services as she was walking from her law office to the sandwich shop. Metro has worked very hard with property owners in cleaning up this area, and this liquor license on Carson Avenue will only spread the problem closer to Las Vegas Boulevard, bringing back the same element Metro is trying to control.

Even though JIM DiFIORE, Manager, and his staff are doing a great job, COUNCILMAN WEEKLY indicated that he does not rely solely on their recommendation. He goes inside those stores and looks at the surrounding areas personally. There is an over saturation of beer and wine sales in this area. The only way this area will be cleaned up is by denying these particular licenses to business owners that are not going to comply and adhere to the vision the City is trying to bring to the downtown area.

CITY COUNCIL MEETING OF SEPTEMBER 18, 2002
Planning and Development Department
Item 123 – U-0089-02

MINUTES – Continued:

TOM McGOWAN, Las Vegas resident, verified that 124 South 6th Street is within the entertainment district. That may be the first of 20 or more opposition to the license within that district. He suggested that the area first be cleaned up of drugs, vice and crime, and then invite businesses to locate within those areas.

There was no further discussion.

MAYOR GOODMAN declared the Public Hearing closed.

(3:50 – 4:01)

5-400

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**CITY COUNCIL MEETING OF: SEPTEMBER 18, 2002****DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

SPECIAL USE PERMIT - PUBLIC HEARING - U-0045-02 - BRIAN AND JULIE LEE & GARY LICKER - Request for a Special Use Permit FOR A LIQUOR ESTABLISHMENT (TAVERN) adjacent to the southeast corner of Alexander Road and Cliff Shadows Parkway (APN: 137-12-101-003), U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] under Resolution of Intent to PD (Planned Development) Zone, Ward 4 (Brown). The Planning Commission (7-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:**Planning Commission Mtg.****4****City Council Meeting****0****APPROVALS RECEIVED BEFORE:****Planning Commission Mtg.****1****City Council Meeting****0****RECOMMENDATION:**

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

REESE – Motion to WITHDRAW WITH PREJUDICE Item 100 [DB-0016-02], WITHDRAW WITHOUT PREJUDICE Item 145 [GPA-0006-02] and Item 146 [Z-0021-02], TABLE Item 152 [GPA-0026-02] and Item 153 [Z-0050-02], and HOLD IN ABEYANCE Item 122 [U-0167-02], Item 124 [U-0045-02], Item 125 [U-0047-02], Item 126 [Z-0068-01(1)], Item 136 [Z-0034-02], and Item 137 [Z-0034-02(1)] to 10/2/2002 - UNANIMOUS with M. McDONALD and WEEKLY excused

MINUTES:

COUNCILMAN REESE announced that Item 124 [U-0045-02], Item 125 [U-0047-02], Item 126 [Z-0068-01(1)] are to be held in abeyance until the 10/02/2002 City Council meeting.

There was no further discussion.

(2:07 – 2:12)

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: SEPTEMBER 18, 2002

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

SPECIAL USE PERMIT RELATED TO U0045-02 - PUBLIC HEARING - **U-0047-02 - BRIAN AND JULIE LEE & GARY LICKER** - Request for a Special Use Permit FOR AN OFF-PREMISE LIQUOR ESTABLISHMENT IN CONJUNCTION WITH A PROPOSED DRUG STORE adjacent to the southeast corner of Alexander Road and Cliff Shadows Parkway (APN: 137-12-101-003), U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] under Resolution of Intent to PD (Planned Development), Ward 4 (Brown). The Planning Commission (7-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

9

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

1

City Council Meeting

0

RECOMMENDATION:

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

REESE – Motion to WITHDRAW WITH PREJUDICE Item 100 [DB-0016-02], WITHDRAW WITHOUT PREJUDICE Item 145 [GPA-0006-02] and Item 146 [Z-0021-02], TABLE Item 152 [GPA-0026-02] and Item 153 [Z-0050-02], and HOLD IN ABEYANCE Item 122 [U-0167-02], Item 124 [U-0045-02], Item 125 [U-0047-02], Item 126 [Z-0068-01(1)], Item 136 [Z-0034-02], and Item 137 [Z-0034-02(1)] to 10/2/2002 - UNANIMOUS with M. McDONALD and WEEKLY excused

MINUTES:

COUNCILMAN REESE announced that Item 124 [U-0045-02], Item 125 [U-0047-02], Item 126 [Z-0068-01(1)] are to be held in abeyance until the 10/02/2002 City Council meeting.

There was no further discussion.

(2:07 – 2:12)

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: SEPTEMBER 18, 2002

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW RELATED TO U-0045-02 AND U-0047-02 - PUBLIC HEARING - **Z-0068-01(1) - BRIAN AND JULIE LEE & GARY LICKER** - Request for a Site Development Plan Review and a Reduction in the Amount of Landscape Planter Finger Islands FOR A 22,920 SQUARE FOOT COMMERCIAL CENTER adjacent to the southeast corner of Alexander Road and Cliff Shadows Parkway (APN: 137-12-101-003), U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] under Resolution of Intent to PD (Planned Development), Ward 4 (Brown). The Planning Commission (7-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

1

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

REESE – Motion to WITHDRAW WITH PREJUDICE Item 100 [DB-0016-02], WITHDRAW WITHOUT PREJUDICE Item 145 [GPA-0006-02] and Item 146 [Z-0021-02], TABLE Item 152 [GPA-0026-02] and Item 153 [Z-0050-02], and HOLD IN ABEYANCE Item 122 [U-0167-02], Item 124 [U-0045-02], Item 125 [U-0047-02], Item 126 [Z-0068-01(1)], Item 136 [Z-0034-02], and Item 137 [Z-0034-02(1)] to 10/2/2002 - UNANIMOUS with M. McDONALD and WEEKLY excused

MINUTES:

COUNCILMAN REESE announced that Item 124 [U-0045-02], Item 125 [U-0047-02], Item 126 [Z-0068-01(1)] are to be held in abeyance until the 10/02/2002 City Council meeting.

There was no further discussion.

(2:07 – 2:12)

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: SEPTEMBER 18, 2002

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

ABEYANCE ITEM - SPECIAL USE PERMIT - PUBLIC HEARING - **U-0072-02** - **ADMOON YALDA, ET AL ON BEHALF OF KOSA NADIR** - Appeal filed by Kosa Nadir from the denial by the Planning Commission of a request for a Special Use Permit FOR THE SALE OF PACKAGED LIQUOR FOR OFF-PREMISE CONSUMPTION at 1510 East Sahara Avenue (APN: 162-02-411-019), C-1 (Limited Commercial) Zone, Ward 3 (Reese). **[NOTE: This item to be heard in conjunction with Morning Session Item #69]** The Planning Commission (6-0-1 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

1

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

The Planning Commission (6-0-1 vote) and staff recommend DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Appeal letter from Nasir Kosa
5. Submitted at City Council – Petition with 48 signatures in support

MOTION:

REESE – Denied the Appeal; thereby DENYING the Special Use Permit subject to conditions – UNANIMOUS with GOODMAN voting NO

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

NASIR KOSA, 1510 East Sahara Avenue, stated that he is requesting the sale of packaged liquor in order to make it convenient for his customer to purchase liquor. Currently, he has gaming, groceries, beer and wine. He submitted a petition with signatures from his customers supporting his request.

CITY COUNCIL MEETING OF SEPTEMBER 18, 2002
Planning and Development Department
Item 127 – U-0072-02

MINUTES – Continued:

MAYOR GOODMAN expressed his and the Council's condolences for her husband, MAX COURSEN'S, passing. FRANCES COURSEN appeared as a character witness for MR. KOSA on her husband's behalf. Her husband, who operated Max's Deli downtown for years, knew MR. KOSA to be an honest businessman who ran a clean business and never sold to minors. Her husband would never recommend MR. KOSA if he did not think he was worthy of this license.

TODD FARLOW, 240 North 19th Street, pointed out that the landscaping should be maintained at this site.

COUNCILMAN REESE stated that this mini mart has done business very well. There were some complaints, but not that many. He feels the packaged liquor belongs in stores such as Vons or Albertsons. This request does not meet the criteria as far as square footage. Once such a request is granted for a convenience store, others will come forward requesting similar licenses. Therefore, he recommended denial. MAYOR GOODMAN indicated that he understands the Councilman's position, but in honor of his friend MAX he would be voting no.

No one appeared in opposition.

There was no further discussion.

MAYOR GOODMAN declared the Public Hearing closed.

NOTE: All discussion for Item 127 [U-0072-02] and Item 69 [Package Liquor License – Nasir Kossa] was held under Item 127 [U-0072-02].

(4:01 – 4:07)

5-740

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**CITY COUNCIL MEETING OF: SEPTEMBER 18, 2002****DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

SPECIAL USE PERMIT - PUBLIC HEARING - U-0097-02 - JIM MARSH AMERICAN CORPORATION ON BEHALF OF McDONALD'S CORPORATION - Request for a Special Use Permit FOR A RESTAURANT WITH DRIVE-THRU adjacent to the southwest corner of Centennial Parkway and Durango Drive (APN: 125-29-510-002), T-C (Town Center) Zone, Ward 6 (Mack). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:**Planning Commission Mtg.****1****City Council Meeting****1****APPROVALS RECEIVED BEFORE:****Planning Commission Mtg.****0****City Council Meeting****2****RECOMMENDATION:**

The Planning Commission (6-0-1 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted at meeting – Comments from Tom McGowan

MOTION:

MACK – APPROVED subject to conditions – UNANIMOUS with GOODMAN abstaining because his law office is involved with property very close to this particular location that could benefit from the approval of these items

MINUTES:

MAYOR PRO TEM REESE declared the Public Hearing open.

BENJAMIN GRAY, McDonald Corporation, 2375 West Camelback Road, Phoenix, Arizona, appeared on behalf of the applicant and concurred with staff's recommendations. He indicated that they have worked with staff on Condition #3 of Item 130 [SD-0034-02] and the condition is no longer applicable or required. Therefore, he asked that it be deleted.

TOM MCGOWAN, Las Vegas resident, appeared in support of the proposed applications pointing out that the proposed project has the superior quality of design that ensures multiple uses. His additional comments have been made a part of the Final Minutes.

CITY COUNCIL MEETING OF SEPTEMBER 18, 2002
Planning and Development Department
Item 128 – U-0097-02

MINUTES –Continued:

TODD FARLOW, 240 North 19th Street, verified with the applicant that some of the conditions were addressed. He felt the architecture is terrible.

STEPHEN REILEY, 7000 Steeple Court, stated that when the first McChevron was approved at Ann Road and Drexel Road there was a lot of heated discussion about the project. However, in the three years of its existence it has proven to be a successful operation. He asked who would be operating this particular McDonald's. He indicated that EVA and JIM operate the McDonald's on Ann Road and Drexel Road, and they are doing a great job. MR. GRAY replied that EVA and JIM would be operating this McDonalds as well and HERBST would be operating the convenience store. MR. REILEY stated that if MR. HERBST requests a flag the Town Center standards should be adhered to in regard to the flagpole. He indicated palm trees along Durango Drive south of Centennial Parkway are dead and wants to see these replaced. In addition, the concrete around this property, including in front of JIM MARSH, is rising up from the curb. He asked that the applicant fix those along their property line. Lastly, he pointed out that cars from the Marsh Car Dealership are parked on ramps in the landscaped area, which is strictly against Town Center Standards. He would like to see MR. MARSH agree to remove these vehicles from the landscaped area.

DOTTIE MILLER, Timberlake resident, appeared on behalf of those residents who could not attend the meeting. Only a few residents were notified of this request. This project is not compatible and too close to their residences. She is concerned about noise, loitering, the loud speaker of the drive-thru and speeding in and out of the project. She asked for the hours of operation and whether a traffic study was done on this particular area. MS. MILLER indicated that a similar project on Ann Road and Drexel Road does not back up to any residential communities. However, the proposed project is too close to residential. Residents of this area were promised a unique and upscale project in Town Center and this is not unique or upscale. She asked the City Council to deny the request. MR. GRAY noted that he would speak to MS. MILLER and address those concerns.

COUNCILMAN MACK asked the notification radius adjacent to Timberlake. ROBERT GENZER, Director, Planning and Development Department, replied that his recollection is that it was required whenever a notification radius touches any part of Timberlake that all of Timberlake residents be notified. He is not certain whether or not that occurred in this instance.

CITY COUNCIL MEETING OF SEPTEMBER 18, 2002
Planning and Development Department
Item 128 – U-0097-02

MINUTES –Continued:

COUNCILMAN MACK directed staff to ensure that any future projects that come forward, not only Timberlake residents are notified, but also any other homeowners associations, if they touch the perimeter. MR. GENZER pointed out that Planning staff does not notify homeowners associations. Neighborhood Services monitors the agendas and are responsible to notify accordingly. Additionally, unless there is a General Plan Amendment, there is no required notification by the applicant.

COUNCILMAN MACK, in response to MR. REILEY indicated that he also is not fond of ramps found in car dealerships. The metal structures are a visual blight. He mentioned Vista Chevrolet recently put in some decorative pads that actually go in the landscape, instead of ramps. A car can be parked on those pads versus driving the car into the landscaped area. The City's Code Enforcement is monitoring car dealerships on the north side of the street. MR. MARSH will be contacted to see if he could provide these decorative pads.

COUNCILMAN MACK emphasized that this land has been zoned commercial for some time and this is a conforming use. He recalled when AM/PM McChevron was approved on Ann Road and Drexel Road there was a lot of opposition. However, those same people are now its customers. The operators have done a great job and have built a nice quality product. Parents love these pay-for-play playgrounds.

COUNCILMAN MACK discussed with MR. GRAY the hours of operations. The adjacent residents are concerned it would be open 24 hours. MR. GRAY informed him he does not believe this will be a 24-hour operation. Typically, the hours would be from 6:00 a.m. to 11:00 p.m. COUNCILMAN MACK asked MR. GRAY to work with staff on the hours of operations and to let him know so he can relay the information to the adjacent neighborhoods.

MR. GRAY verified for COUNCILMAN MACK that the facility would be built to Town Center Standards, above and beyond a typical McDonalds. It will have an upgraded unique exterior elevation. COUNCILMAN MACK emphasized that a concern residents had with the facility at Ann Road and Drexel Road was the outside speaker-boxes. Originally, there was a condition that no outside speakers be used because of the adjacent neighborhood. He asked if this same issue has been addressed at this location. MR. GRAY replied that this is not an issue at this location because the facility is not adjacent to residential. However, when they meet with the signage people, they can ensure that the volume is reduced on those. COUNCILMAN MACK pointed out he would not impose a condition to eliminate the outside speaker box, but requested

CITY COUNCIL MEETING OF SEPTEMBER 18, 2002
Planning and Development Department
Item 128 – U-0097-02

MINUTES –Continued:

that applicant work with staff. The speaker box could be reviewed in one year to see if it becomes a concern to the community. MR. GRAY agreed and indicated that they would also replace the palm trees.

MR. GRAY discussed with MR. GENZER that DENNIS WATTS, McDonald's, met with TROY JESCHKE of the Planning and Development Department, who agreed to eliminate Condition #3 of Item 130 [SD-0034-02]. MR. GENZER mentioned that he was not made aware of this information and clarified with MR. GRAY that a revised site plan was submitted to resolve the issue of the lack of planter width along the street frontage. COUNCILMAN MACK requested that the condition remain and for staff to work with the applicant and remove it administratively. MR. GENZER confirmed if the applicant submits a new plan, then he satisfies the condition.

COUNCILMAN MACK moved to approve all three items and to Item 130 [SD-0034-02]. He added conditions to replace the palm trees along Durango Drive; to review the speaker box in one year to see if it is a nuisance to the neighborhood and for staff to contact MR. MARSH about the landscaping along his property.

There was no further discussion.

MAYOR PRO TEM REESE declared the Public Hearing closed.

NOTE: COUNCILMAN MACK directed staff to ensure that for any future projects that come forward, not only Timberlake residents are notified, but any other homeowners associations, if they touch the perimeter. In addition, he directed staff to contact MR. MARSH about the landscaping along his property.

NOTE: All discussion for Item 128 [U-0097-02], Item 129 [U-0098-02] and Item 130 [SD-0034-02] took place under Item 128 [U-0097-02].

(4:07 – 4:30)

5-1000

CONDITIONS:

Planning and Development

1. If this Special Use Permit is not exercised within two years after this approval, this Special Use Permit shall be void unless an Extension of Time is granted.

CITY COUNCIL MEETING OF SEPTEMBER 18, 2002
Planning and Development Department
Item 128 – U-0097-02

CONDITIONS – Continued:

2. All City Code Requirements and all City departments' design standards shall be met.
3. A Site Development Plan Review before the City Council shall be required prior to obtaining any building permits.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**CITY COUNCIL MEETING OF: SEPTEMBER 18, 2002****DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

SPECIAL USE PERMIT RELATED TO U-0097-02 - PUBLIC HEARING - **U-0098-02 - JIM MARSH AMERICAN CORPORATION ON BEHALF OF McDONALD'S CORPORATION** - Request for a Special Use Permit FOR A CONVENIENCE STORE WITH FUEL PUMPS adjacent to the southwest corner of Centennial Parkway and Durango Drive (APN: 125-29-510-002), T-C (Town Center) Zone, Ward 6 (Mack). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:**Planning Commission Mtg.****1****City Council Meeting****1****APPROVALS RECEIVED BEFORE:****Planning Commission Mtg.****0****City Council Meeting****2****RECOMMENDATION:**

The Planning Commission (6-0-1 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted at meeting – Comments from Tom McGowan

MOTION:

MACK – APPROVED subject to conditions – UNANIMOUS with GOODMAN abstaining because his law office is involved with property very close to this particular location that could benefit from the approval of these items

MINUTES:

MAYOR PRO TEM REESE declared the Public Hearing open.

There was no additional discussion.

MAYOR PRO TEM REESE declared the Public Hearing closed.

NOTE: COUNCILMAN MACK directed staff to ensure that for any future projects that come forward, not only Timberlake residents are notified, but any other homeowners associations, if they

touch the perimeter. In addition, he directed staff to contact MR. MARSH about the landscaping along his property.

CITY COUNCIL MEETING OF SEPTEMBER 18, 2002
Planning and Development Department
Item 129 – U-0098-02

MINUTES – Continued:

NOTE: All discussion for Item 128 [U-0097-02], Item 129 [U-0098-02] and Item 130 [SD-0034-02] took place under Item 128 [U-0097-02].

(4:07 – 4:30)

5-1000

CONDITIONS:

Planning and Development

1. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
2. Conformance to all minimum requirements under Section B.4 of the Town Center Development Standards for a convenience-store-with-fuel-pumps use.
3. Conformance with the conditions of approval for all applicable Site Development Plan Review (SD-0034-02); and conformance with the specific requirements of Section D.3.A and all general requirements of the Town Center Development Standards.
4. All City Code requirements and design standards of all City departments must be satisfied.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**CITY COUNCIL MEETING OF: SEPTEMBER 18, 2002****DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

SITE DEVELOPMENT PLAN REVIEW RELATED TO U-0097-02 AND U-0098-02 - PUBLIC HEARING - **SD-0034-02 - JIM MARSH AMERICAN CORPORATION ON BEHALF OF McDONALD'S CORPORATION** - Request for a Site Development Plan Review FOR A CONVENIENCE STORE WITH FUEL PUMPS AND RESTAURANT WITH DRIVE-THRU on 1.26 acres adjacent to the southwest corner of Centennial Parkway and Durango Drive (APN: 125-29-510-002), T-C (Town Center) Zone, Ward 6 (Mack). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:**Planning Commission Mtg.****1****City Council Meeting****1****APPROVALS RECEIVED BEFORE:****Planning Commission Mtg.****0****City Council Meeting****2****RECOMMENDATION:**

The Planning Commission (6-0-1 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
5. Submitted at meeting – Comments from Tom McGowan

MOTION:

MACK – APPROVED subject to conditions and adding the following conditions:

- The applicant shall replace any dead palm trees along Durango Drive.
- The speaker box will be reviewed by Planning and Development staff in one year to see if it is a nuisance to the neighborhood.

– **UNANIMOUS** with GOODMAN abstaining because his law office is involved with property very close to this particular location that could benefit from the approval of these items

MINUTES:

MAYOR PRO TEM REESE declared the Public Hearing open.

There was no additional discussion.

CITY COUNCIL MEETING OF SEPTEMBER 18, 2002
Planning and Development Department
Item 130 – SD-0034-02

MINUTES – Continued:

MAYOR PRO TEM REESE declared the Public Hearing closed.

NOTE: COUNCILMAN MACK directed staff to ensure that for any future projects that come forward, not only Timberlake residents are notified, but any other homeowners associations, if they touch the perimeter. In addition, he directed staff to contact MR. MARSH about the landscaping along his property.

NOTE: All discussion for Item 128 [U-0097-02], Item 129 [U-0098-02] and Item 130 [SD-0034-02] took place under Item 128 [U-0097-02].

(1:30 – 1:36)

4-164

CONDITIONS:

Planning and Development

1. The Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
2. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.
3. The site plan shall be revised and approved by the Planning and Development Department staff, prior to the time application is made for a building permit, to reflect the whole site being moved to the south to provide additional space between the drive through lane and the Centennial Parkway frontage.
4. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect minimum fifteen foot wide landscape planters adjacent to all roadway frontages with 24 inch box trees planted a maximum of 20 feet on center and a minimum of four five gallon shrubs for each tree within provided planters.
5. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.
6. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory

manner. [Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.]

CITY COUNCIL MEETING OF SEPTEMBER 18, 2002
Planning and Development Department
Item 130 – SD-0034-02

CONDITIONS – Continued:

7. The elevations of the gasoline canopy shall be revised and approved by the Planning and Development Department staff, prior to the time application is made for a building permit. The revised elevations shall provide additional architectural features to enhance façade articulation and compatibility with the surrounding commercial development.
8. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
9. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize ‘shoe-box’ fixtures and downward directed lights. Wallpack lighting shall utilize ‘shoe-box’ fixtures and downward directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened and shall not create fugitive lighting on adjacent properties.
10. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19A.12.050.
11. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
12. All City Code requirements and design standards of all City departments must be satisfied.
13. The gas sales canopy supports shall be revised and approved by the Planning and Development Department staff; prior to the time application is made for a building permit, with additional architectural features to enhance compatibility with the convenience store.
14. The lighting in the underside of the gas canopy shall be recessed to avoid light spillover and glare.

Public Works

15. Remove all substandard public street improvements and unused driveway cuts adjacent to this site and replace with new improvements meeting current City Standards concurrent with development of this site.

CITY COUNCIL MEETING OF SEPTEMBER 18, 2002
Planning and Development Department
Item 130 – SD-0034-02

CONDITIONS – Continued:

16. If not already constructed by the Master Developer, construct the full width of all new driveways and construct sufficient on-site paving to allow two-way traffic between this site and the nearest driveways accessing Durango Drive and Centennial Parkway concurrent with development of this site.
17. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed driveway access, on site circulation and parking lot layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.
18. An update to the previously approved Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any permits or the submittal of any construction drawings. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.
19. An update to the previously approved Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any permits or the submittal of any construction drawings. Provide and improve all drainageways as recommended in the approved drainage plan/study.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**CITY COUNCIL MEETING OF: SEPTEMBER 18, 2002****DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

SPECIAL USE PERMIT - PUBLIC HEARING - U-0099-02 - SMITH'S FOOD & DRUG CENTERS, INC. ON BEHALF OF RALPH'S GROCERY COMPANY - Request for a Special Use Permit FOR A SERVICE STATION AND FUEL PUMPS at 3602 East Bonanza Road (APN: 140-30-411-004 and 006), R-E (Residence Estates) Zone under Resolution of Intent to C-1 (Limited Commercial) Zone, Ward 3 (Reese). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:**Planning Commission Mtg.****1****City Council Meeting****0****APPROVALS RECEIVED BEFORE:****Planning Commission Mtg.****0****City Council Meeting****0****RECOMMENDATION:**

The Planning Commission (6-0-1 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

REESE – APPROVED subject to conditions – UNANIMOUS

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

ROBERT SCHMIDT, Great Basin Engineering, 2010 North Redwood Road, Salt Lake City, Utah, appeared on behalf of the applicant and concurred with the Planning Commission and staff's recommendations and conditions. MR. SCHMIDT indicated that the site plan has been changed and was presented to the Planning Commission. The new plan showed a more compact canopy and provides for meaningful parking to the east of the canopy.

No one appeared in opposition.

There was no further discussion.

CITY COUNCIL MEETING OF SEPTEMBER 18, 2002
Planning and Development Department
Item 131 – U-0099-02

MINUTES – Continued:

MAYOR GOODMAN declared the Public Hearing closed.

NOTE: COUNCILMAN MACK directed staff to ensure that for any future projects that come forward, not only Timberlake residents are notified, but any other homeowners associations, if they touch the perimeter. In addition, he directed staff to contact MR. MARSH about the landscaping along his property.

NOTE: All discussion for Item 131 [U-0099-02] and Item 132 [Z-0088-81(13)] took place under Item 131 [U-0099-02].

(4:30 – 4:33)

5-1870

CONDITIONS:

Planning and Development

1. Conformance to all Minimum Requirements under Title 19A.04.050 for a Service Station use.
2. Approval of and conformance to the Conditions of Approval for Site Development Plan Review [Z-0088-81(13)].
3. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
4. All City Code requirements and design standards of all City departments must be satisfied.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**CITY COUNCIL MEETING OF: SEPTEMBER 18, 2002****DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

SITE DEVELOPMENT PLAN REVIEW RELATED TO U-0099-02 - PUBLIC HEARING - **Z-0088-81(13) - SMITH'S FOOD & DRUG CENTERS, INC. ON BEHALF OF RALPH'S GROCERY COMPANY** - Request for a Site Development Plan Review FOR A SERVICE STATION on 81.65 acres located at 3602 East Bonanza Road (APN: 140-30-411-004 and 006), R-E (Residence Estates) Zone under Resolution of Intent to C-1 (Limited Commercial) Zone, Ward 3 (Reese). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:**Planning Commission Mtg.****1****City Council Meeting****0****APPROVALS RECEIVED BEFORE:****Planning Commission Mtg.****0****City Council Meeting****0****RECOMMENDATION:**

The Planning Commission (6-0-1 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

REESE – APPROVED subject to conditions – UNANIMOUS with MACK not voting

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

ROBERT SCHMIDT, Great Basin Engineering, 2010 North Redwood Road, Salt Lake City, Utah, appeared on behalf of the applicant and concurred with the Planning Commission and staff's recommendations and conditions.

No one appeared in opposition.

There was no discussion.

CITY COUNCIL MEETING OF SEPTEMBER 18, 2002
Planning and Development Department
Item 132 – Z-0088-81(13)

MINUTES – Continued:

MAYOR GOODMAN declared the Public Hearing closed.

NOTE: COUNCILMAN MACK directed staff to ensure that for any future projects that come forward, not only Timberlake residents are notified, but any other homeowners associations, if they touch the perimeter. In addition, he directed staff to contact MR. MARSH about the landscaping along his property.

NOTE: All discussion for Item 131 [U-0099-02] and Item 132 [Z-0088-81(13)] took place under Item 131 [U-0099-02].

(1:30 – 1:36)

4-164

CONDITIONS:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Special Use Permit (U-0099-02).
2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
3. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.
4. The elevations of the proposed fuel canopy shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, with additional architectural features to designed to be compatible with the existing grocery store (Food 4 Less) in the commercial subdivision.
5. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. [Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.]
6. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.

CITY COUNCIL MEETING OF SEPTEMBER 18, 2002
Planning and Development Department
Item 132 – Z-0088-81(13)

CONDITIONS – Continued:

7. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
8. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
9. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19A.12.050.
10. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
11. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
12. All City Code requirements and design standards of all City departments must be satisfied.
13. All lighting on the underside of the fuel canopy shall be recessed.

Public Works

14. A Lot Line Adjustment, Reversionary Map, or other recorded documents acceptable to the City of Las Vegas Surveyor shall be recorded if needed to accommodate construction of buildings prior to the issuance of any building permits for this site for the purpose of this site being situated within a legal boundary.
15. Remove all substandard public street improvements, if any, adjacent to this site and replace with new improvements meeting current City Standards concurrent with on-site development activities.

CITY COUNCIL MEETING OF SEPTEMBER 18, 2002
Planning and Development Department
Item 132 – Z-0088-81(13)

CONDITIONS – Continued:

16. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed driveway access, on site circulation and parking lot layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.
17. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, or the submittal of any construction drawings. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits for this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.

Alternatively, in lieu of a Traffic Impact Analysis, the applicant may participate in a reasonable alternative mutually acceptable to the applicant and the Department of Public Works.

18. An update to the previously approved Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any permits, or the submittal of any construction drawings. Provide and improve all drainageways as recommended in the approved drainage plan/study.

**AGENDA SUMMARY PAGE - PLANNING &
DEVELOPMENT****CITY COUNCIL MEETING OF: SEPTEMBER 18, 2002****DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

SPECIAL USE PERMIT - PUBLIC HEARING - U-0100-02 - D.R. HORTON, INC. - Request for a Special Use Permit FOR A TEMPORARY REAL ESTATE SALES OFFICE WITH UNPAVED ON-SITE PARKING on 14.64 acres adjacent to the northwest corner of Grand Teton Drive and El Capitan Way (APN: 125-08-401-005), R-E (Residence Estates) under Resolution of Intent to R-PD6 (Residential Planned Development - 6 Units Per Acre), Ward 6 (Mack). Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL

PROTESTS RECEIVED BEFORE:**Planning Commission Mtg.****0****City Council Meeting****0****APPROVALS RECEIVED BEFORE:****Planning Commission Mtg.****0****City Council Meeting****0****RECOMMENDATION:**

Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

BROWN – APPROVED subject to conditions and the following added condition:

- The handicap space including access aisles and pathway to the sales office must be paved with concrete.

– UNANIMOUS with MACK not voting

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

BRIAN WALSH, D. R. Horton Homes, Inc., 6845 Escondido Street, appeared on behalf of the applicant and concurred with staff's recommendations.

CITY COUNCIL MEETING OF SEPTEMBER 18, 2002
Planning and Development Department
Item 133 – U-0100-02

MINUTES –Continued:

ROBERT GENZER, Director of Planning and Development Department, indicated COUNCILMAN MACK requested that a condition be added on this particular item requiring the handicap space including access aisles and pathway to the sales office must be paved. MR. WALSH verified with MR. GENZER that it could be paved with concrete.

No one appeared in opposition.

There was no further discussion.

MAYOR GOODMAN declared the Public Hearing closed.

(4:33 – 4:36)

5-1970

CONDITIONS:

Planning and Development

1. A total of five parking spaces shall be clearly delineated at all times, including the handicap accessible space and access aisles on each side of the handicap accessible parking space.
2. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
3. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

4. All temporary improvements installed to support this use shall be removed at the time this use terminates, and replaced with permanent improvements meeting current City Standards.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**CITY COUNCIL MEETING OF: SEPTEMBER 18, 2002****DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

SPECIAL USE PERMIT - PUBLIC HEARING - U-0102-02 - COX COMMUNICATIONS
- Request for a Special Use Permit FOR UTILITY INSTALLATION OTHER THAN LISTED adjacent to the northeast corner of Tenaya Way and Mellott Lane (APN: 138-10-516-001), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial) Zone, Ward 4 (Brown). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:**Planning Commission Mtg.****0****City Council Meeting****0****APPROVALS RECEIVED BEFORE:****Planning Commission Mtg.****0****City Council Meeting****0****RECOMMENDATION:**

The Planning Commission (6-0-1 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

BROWN – APPROVED subject to conditions and amending Condition #3 as follows:

3. All air conditioners and trash areas shall be fully screened in views from the abutting streets.

– UNANIMOUS with GOODMAN abstaining in an abundance of caution because he receives a monthly statement with a zero balance from Cox Communications in order to watch Channel 2.

NOTE: BROWN moved to reconsider Item 134 [U-0102-02], which carried unanimously with GOODMAN abstaining in an abundance of caution because he receives a monthly statement with a zero balance from Cox Communications in order to watch Channel 2.

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

CITY COUNCIL MEETING OF SEPTEMBER 18, 2002
Planning and Development Department
Item 134 – U-0102-02

MINUTES – Continued:

MIKE GRUTCH, Architect, Hoch Associates, 111 West Berry Street, #200, Fort Wayne, Indiana, appeared on behalf of Cox Communications. MR. GRUTCH outlined the features of the proposed building, which will be one-story, 70 feet by 72 feet and 18 foot four inches high. The exterior equipment area is enclosed by a screen wall, which varies from 12 to six feet in height. This building will provide regional service and high-speed Internet access, digital and analog television. It will initially serve 125,000 people with the capacity to serve up to 160,000.

The proposed building will house the electrical upgrade equipment essential for Cox's entire communication system and network. The facility will be unmanned and would be visited on a daily basis by typically one Cox employee, and traffic to the building will be very limited. The majority of the building is dedicated to housing the equipment utilized, and includes a large equipment room, a power room and a fiber-optics room. The facility includes two generators on the exterior of the building, of which one will serve as a back up in case the first should fail. The two generators would never run simultaneously. The generators would be utilized to provide power in emergency situations only. He indicated the generators would be located on the north side of the building. These generators would need to be tested and run periodically for 20 to 30 minutes every two weeks. The testing could be staggered on a rotation basis. The bi-weekly period of testing of the generators could be done at any time. The only other time the generators would be run would be in an emergency situation where there is a loss of power.

MR. GRUTCH specified the different decibel levels at each side of the building with the highest level being at the west property line of 80.17. In comparison, heavy street traffic is approximately 80 to 90 decibels. The solid concrete mass of the building and the screen wall is effective at reducing sound emission and will account for a reduction of approximately 10 to 12 decibels. He reiterated that these generators are for emergency use only and periodic testing which needs to take place could be arranged to occur at any time. The run time is minimal, and the test could occur at any time of the day to minimize and help eliminate any disturbance. This could be done during the rush hour traffic when the sound levels are typically higher, and the noise generated by the traffic may actually be louder than the generator itself.

The proposed building will be constructed using pre-cast concrete wall panels and a concrete block wall with stucco texture finish. The upper portion of the building would be a stucco texture, and the lower portion would be an exposed aggregate finish. The building will include an attractive entry tower constructed of a combination of stone and stucco finishes. There will be a 12-foot high screen wall surrounding the equipment wall area along Tenaya Way to the west

CITY COUNCIL MEETING OF SEPTEMBER 18, 2002
Planning and Development Department
Item 134 – U-0102-02

MINUTES – Continued:

and along a portion of the north wall to mid-point of the wall. At that point, the wall would step down to six feet in height and continue towards the east and along the east side of the equipment area. The screen wall and building will fully screen the generator on three sides. To the east there is a proposed parking lot and storage facility to be built on the adjacent property. The variance requested as part of this project is to fully screen the generators toward this east side and this east property. MR. GRUTCH concluded that Cox has been cooperative and has responded to the concerns of the Planning Department and COUNCILMAN BROWN. The screen wall and equipment area have been relocated from the south side of the building to the north side of the building. Additional architectural enhancement has been incorporated to the building, as well as landscaping. This site has a total of 13 trees and 52 shrubs.

AL GALLEG0, citizen of Las Vegas, indicated he read an article in the newspaper that Cox Communications is not paying franchise tax to the City of Las Vegas on their high speed Internet, and asked why the City is losing so much money. In addition, he was not able to hook up to high speed Internet. MAYOR GOODMAN responded that STEVE SHORE, Cox Communications Representative, informed him the reason the City is not getting the fees is because the City is precluded from getting it due to a Ninth Circuit Court decision.

MAYOR GOODMAN indicated he gets Direct TV and only has Cox Cable for the specific purpose to watch Channel 2 programs and he receives a monthly bill with a zero balance. He clarified with DEPUTY CITY ATTORNEY BRYAN SCOTT this would not be a conflict and could vote on this item. However, MAYOR GOODMAN, in the abundance of caution, abstained.

COUNCILMAN BROWN verified with MARGO WHEELER, Planning and Development Department, that Condition #2 relating to the elevations could remain as noted. However, if the Council would approve Item 135 [V-0059-02], the words “mechanical equipment” in Condition #3 should be deleted.

No one appeared in opposition.

There was no further discussion.

MAYOR PRO TEM REESE declared the Public Hearing closed.

NOTE: See Item 135 [V-0059-02] for additional discussion.

(4:36 – 4:51)

5-2080

CITY COUNCIL MEETING OF SEPTEMBER 18, 2002
Planning and Development Department
Item 134 – U-0102-02

CONDITIONS:

Planning and Development

1. Conformance to the conditions of approval for Site Development Plan Review [Z-0025-88(9)] and [Z-0025-88(10)].
2. The elevations shall be revised to reflect the applicant's agreement with staff and approved by Planning and Development Department staff, prior to the time application is made for a building permit, with additional architectural features to enhance façade articulation and the complete screening of all mechanical equipment.
3. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets
4. All City Code requirements and design standards of all City departments must be satisfied.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**CITY COUNCIL MEETING OF: SEPTEMBER 18, 2002****DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

VARIANCE RELATED TO U-0102-02 - PUBLIC HEARING - **V-0059-02 - COX COMMUNICATIONS** - Request for a Variance TO ALLOW MECHANICAL EQUIPMENT TO BE LESS THAN FULLY SCREENED, IN CONJUNCTION WITH A UTILITY INSTALLATION OTHER THAN LISTED adjacent to the northeast corner of Tenaya Way and Mellott Lane (APN: 138-10-516-001), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial) Zone, Ward 4 (Brown). Staff recommends DENIAL. The Planning Commission (6-0-1 vote) recommends APPROVAL

PROTESTS RECEIVED BEFORE:**Planning Commission Mtg.****0****City Council Meeting****0****APPROVALS RECEIVED BEFORE:****Planning Commission Mtg.****0****City Council Meeting****0****RECOMMENDATION:**

Staff recommends DENIAL. The Planning Commission (6-01 vote) recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

BROWN – APPROVED subject to conditions – UNANIMOUS with GOODMAN abstaining in an abundance of caution because he receives a monthly statement with a zero balance from Cox Communications in order to watch Channel 2.

MINUTES:

MAYOR PRO TEM REESE declared the Public Hearing open.

MIKE GRUTCH, Architect, Hoch Associates, 111 West Berry Street, #200, Fort Wayne, Indiana, appeared on behalf of Cox Communications.

CITY COUNCIL MEETING OF SEPTEMBER 18, 2002
Planning and Development Department
Item 135 – V-0059-02

MINUTES – Continued:

COUNCILMAN BROWN clarified with MR. GRUTCH that the generators are fully screened with the exception of the easterly portion that goes into the parking lot of the storage area. Additionally, the testing on each generator would be on a by-weekly basis only, and the time of testing could be flexible. COUNCILMAN BROWN verified with MARGO WHEELER, Planning and Development Department, that that particular elevation has been reviewed by staff.

There was no further discussion.

MAYOR PRO TEM REESE declared the Public Hearing closed.

NOTE: See Item 134 [U-0102-02] for additional discussion.

(1:30 – 1:36)

4-164

CONDITIONS:

Planning and Development

1. Approval and conformance to Special Use Permit (U-0102-02) and conformance to the Conditions of Approval for Site Development Plan Reviews [Z-0025-88(9)] and [Z-0025-88(10)].
2. This Variance shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**CITY COUNCIL MEETING OF: SEPTEMBER 18, 2002****DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

ABEYANCE ITEM - REZONING - PUBLIC HEARING - **Z-0034-02 - GRAND TETON THOM, LIMITED LIABILITY COMPANY ET AL ON BEHALF OF THOMAS W. FEHRMAN** - Request for a Rezoning FROM: R-E (Residence Estates) TO: R-PD3 (Residential Planned Development - 3 Units per Acre) of 7.49 acres located adjacent to the west side of Thom Boulevard, approximately 660 feet north of Grand Teton Road (APN's: 125-12-801-018 & 019), PROPOSED USE: SINGLE-RESIDENTIAL, Ward 6 (Mack). Staff recommends DENIAL. The Planning Commission (6-1 vote) recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1
0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

1
0

RECOMMENDATION:

Staff recommends DENIAL. The Planning Commission (6-1 vote) recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

REESE – Motion to **WITHDRAW WITH PREJUDICE** Item 100 [DB-0016-02], **WITHDRAW WITHOUT PREJUDICE** Item 145 [GPA-0006-02] and Item 146 [Z-0021-02], **TABLE** Item 152 [GPA-0026-02] and Item 153 [Z-0050-02], and **HOLD IN ABEYANCE** Item 122 [U-0167-02], Item 124 [U-0045-02], Item 125 [U-0047-02], Item 126 [Z-0068-01(1)], Item 136 [Z-0034-02], and Item 137 [Z-0034-02(1)] to 10/2/2002 - **UNANIMOUS** with M. McDONALD and WEEKLY excused

MINUTES:

COUNCILMAN MACK questioned if Item 136 [Z-0034-02] and Item 137 [Z-0034-02(1)] were to be held in abeyance. ROBERT GENZER, Director of Planning and Development Department, responded he was not aware of such a request. COUNCILMAN MACK requested the items be abeyed to the 10/02/2002 City Council meeting.

There was no further discussion.

(2:07 – 2:12)

4-1

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: SEPTEMBER 18, 2002

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

ABEYANCE ITEM - SITE DEVELOPMENT PLAN REVIEW RELATED TO Z-0034-02 - PUBLIC HEARING - **Z-0034-02(1) - GRAND TETON THOM, LIMITED LIABILITY COMPANY ET AL ON BEHALF OF THOMAS W. FEHRMAN** - Request for a Site Development Plan Review FOR A PROPOSED 26-LOT SINGLE-FAMILY RESIDENTIAL DEVELOPMENT on 7.49 acres located adjacent to the west side of Thom Boulevard, approximately 660 feet north of Grand Teton Road (APN's: 125-12-801-018 & 019), R-E (Residence Estates) Zone [PROPOSED: R-PD3 (Residential Planned Development – 3 Units per Acre)], Ward 6 (Mack). Staff recommends DENIAL. The Planning Commission (6-1 vote) recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

1

City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL. The Planning Commission (6-1 vote) recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

REESE – Motion to WITHDRAW WITH PREJUDICE Item 100 [DB-0016-02], WITHDRAW WITHOUT PREJUDICE Item 145 [GPA-0006-02] and Item 146 [Z-0021-02], TABLE Item 152 [GPA-0026-02] and Item 153 [Z-0050-02], and HOLD IN ABEYANCE Item 122 [U-0167-02], Item 124 [U-0045-02], Item 125 [U-0047-02], Item 126 [Z-0068-01(1)], Item 136 [Z-0034-02], and Item 137 [Z-0034-02(1)] to 10/2/2002 - UNANIMOUS with M. McDONALD and WEEKLY excused

MINUTES:

COUNCILMAN MACK questioned if Item 136 [Z-0034-02] and Item 137 [Z-0034-02(1)] were to be held in abeyance. ROBERT GENZER, Director of Planning and Development Department, responded he was not aware of such a request. COUNCILMAN MACK requested the items be abeyed to the 10/02/2002 City Council meeting.

There was no further discussion.

(2:07 – 2:12)

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**CITY COUNCIL MEETING OF: SEPTEMBER 18, 2002****DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

REZONING - PUBLIC HEARING - **Z-0062-02 - V R A A M, LIMITED LIABILITY COMPANY** - Request for a Rezoning FROM: R-E (Residence Estates) TO: C-1 (Limited Commercial) on 1.79 acres at 540 North Eastern Avenue (APN: 139-36-110-003), PROPOSED USE: COMMERCIAL CENTER, Ward 3 (Reese). The Planning Commission (7-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:**Planning Commission Mtg.****1****City Council Meeting****0****APPROVALS RECEIVED BEFORE:****Planning Commission Mtg.****2****City Council Meeting****1****RECOMMENDATION:**

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

REESE – APPROVED subject to conditions – UNANIMOUS

NOTE: COUNCILMAN MACK disclosed that his brother, Steven Mack, owns property across from this property; however, neither has discussed this item, so he would be voting on both items.

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

DOM CAMBEIRO, Architect, 3555 Pecos-McLeod Road, appeared on behalf of RENATO MORALES, President of VRAAM, Limited Liability Company. MR. CAMBEIRO pointed out that Item 138 [Z-0062-02] deals with only one property and Item 139 [Z-0062-02(1)] applies to both parcels. At the Planning Commission meeting he requested that the planter on the north side of the project be deleted. Metro had concerns about the landscaping along the rear side of the building and highly recommended it be just concrete to keep the rear side of the building open. In addition, they would prefer the trees along the rear side of the building be eliminated because they feel the trees will

provide easy access to the roof of the building. Those two issues were discussed at the Planning Commission meeting and the Planning Commission concurred.

CITY COUNCIL MEETING OF SEPTEMBER 18, 2002
Planning and Development Department
Item 138 – Z-0062-02

MINUTES – Continued:

COUNCILMAN REESE agreed to eliminate the landscaping and that a wrought iron fence could be installed on either end. MR. CAMBEIRO responded that the gates will be open only during the day to receive deliveries, but will be closed at night.

COUNCILMAN REESE pointed out that this particular area was probably one of the worst areas he had in Ward 3, as far as vagrants. He commended MR. MORALES for coming in and cleaning up this area. Even the shopping center to the north had problems. There is no need to have landscaping on the east side of the building. He would like landscaping on the Eastern Avenue side and on the south side.

TODD FARLOW, 240 North 19th Street, thanked the applicant for cleaning this area. He asked COUNCILMAN REESE whether the applicant spoke to the adjacent shopping center owner about a shared drive-thru. He suggested that the seven-foot sidewalk remain.

COUNCILMAN REESE verified with MR. CAMBEIRO that he is in the process of speaking to the adjacent owners regarding joint access, but the landscaping will not be jeopardized.

No one appeared in opposition.

There was no further discussion.

MAYOR GOODMAN declared the Public Hearing closed.

NOTE: See Item 139 [Z-0062-02(1)] for related discussion.

(4:51 – 5:07)

5-2800

CONDITIONS:

Planning and Development

1. A Resolution of Intent with a two-year time limit.
2. A Site Development Plan Review application approved by the Planning Commission and City Council prior to issuance of any permits, any site grading, and all development activity for the site.

CITY COUNCIL MEETING OF SEPTEMBER 18, 2002
Planning and Development Department
Item 138 – Z-0062-02

CONDITIONS – Continued:

Public Works

3. Coordinate with the City Surveyor to determine whether an Administrative Joining, reversionary map, joint access agreement, or other method of combining the two underlying lots is necessary for development of this site. Comply with the recommendations of the City Surveyor prior to the issuance of permits for this site.
4. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, or the submittal of any construction drawings. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits for this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1#234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.

Alternatively, in lieu of a Traffic Impact Analysis, the applicant may participate in a reasonable alternative mutually acceptable to the applicant and the Department of Public Works.

5. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as recommended by the approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing

CITY COUNCIL MEETING OF SEPTEMBER 18, 2002
Planning and Development Department
Item 138 – Z-0062-02

CONDITIONS – Continued:

improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements if allowed by the City Engineer. The amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any permits or the recordation of a Map subdividing this site, whichever may occur first.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: SEPTEMBER 18, 2002

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW RELATED TO Z-0062-02 - PUBLIC HEARING - **Z-0062-02(1) - V R A A M, LIMITED LIABILITY COMPANY** - Request for a Site Development Plan Review and a Reduction of the Perimeter Landscaping Requirements TO ALLOW A FIVE FOOT WIDE LANDSCAPE PLANTER ON THE NORTH PROPERTY LINE WHERE AN EIGHT FOOT WIDE LANDSCAPE PLANTER IS REQUIRED FOR A PROPOSED 25,200 SQUARE FOOT COMMERCIAL CENTER on 1.79 acres at 530 and 540 North Eastern Avenue (APN: 139-36-110-002 and 003), R-E (Residence Estates) and C-1 (Limited Commercial) Zones [PROPOSED: C-1 (Limited Commercial)], Ward 3 (Reese). Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

1

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

2

City Council Meeting

1

RECOMMENDATION:

Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

REESE – APPROVED subject to conditions and amending Condition #5A to delete the word *east*, amend Condition 5B as follows: *There shall be no required landscaping north or east of the proposed building*; and amend Condition #13 as follows.

13. The applicant shall have an eight-foot tall decorative block wall, with at least 20 percent contrasting materials constructed along the eastern property boundary. *Wrought iron gates shall be installed to prevent access to the rear of the buildings and be the same height as the block wall.* Wall height shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.

– UNANIMOUS with WEEKLY not voting

NOTE: COUNCILMAN MACK disclosed that his brother, Steven Mack, owns property across from this property; however, neither has discussed this item, so he would be voting on both items.

CITY COUNCIL MEETING OF SEPTEMBER 18, 2002
Planning and Development Department
Item 139 – Z-0062-02(1)

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

DOM CAMBEIRO, Architect, 3555 Pecos-McLeod Road, appeared on behalf of RENATO MORALES, President of VRAAM, Limited Liability Company.

ROBERT GENZER, Planning and Development Department, clarified with COUNCILMAN REESE that the landscaping on the north side of the building would be deleted.

COUNCILMAN REESE replied that it would be the length of the building on the north side. MR. GENZER explained Condition #5A addresses the landscaping along the south, east and west property lines. COUNCILMAN REESE informed MR. CAMBEIRO that staff would work with him on the northern property line, as well as the entryway into the other shopping center. The landscaping behind the building on the north side is not needed. MR. GENZER replied that in that case it would need to be clarified under Condition #5B. COUNCILMAN REESE did not feel landscaping is needed on the east side of the building. MR. CAMBEIRO noted that he will work with staff and will use a type of material such as decomposed granite to give it a surface. There will be a sidewalk to the doors in the back and then the granite surface.

MR. GENZER discussed with COUNCILMAN REESE that Condition #13 requires an eight-foot tall decorative block wall, with at least 20 percent contrasting materials along the eastern property line. That was the only part of the property it refers to. He asked where he wants the wrought iron gates if that is still required. MR. CAMBEIRO suggested that they go at the end of the building to prevent people from going behind the building. COUNCILMAN REESE requested that the wrought iron gates be the same height as the block wall.

No one appeared in opposition.

There was no further discussion.

MAYOR GOODMAN declared the Public Hearing closed.

NOTE: See Item 139 [Z-0062-02(1)] for related discussion.

(4:51 – 5:07)

5-2800

CITY COUNCIL MEETING OF SEPTEMBER 18, 2002
Planning and Development Department
Item 139 – Z-0062-02(1)

CONDITIONS:

Planning and Development

1. A Rezoning (Z-0062-02) to a C-1 (Limited Commercial) Zoning District approved by the City Council.
2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
3. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.
4. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
5. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect the following:
 - A. Along the south, east and west property lines, minimum 24-inch box trees planted a maximum of 20 feet on-center and a minimum of four five-gallon shrubs for each tree within provided planters.
 - B. Prior to the submittal of building permits, the applicant shall work with staff to determine the landscaping required along the northern property line.
6. The site shall be limited to retail uses, unless the applicant secures additional parking.
7. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. [Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.]
8. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.

CITY COUNCIL MEETING OF SEPTEMBER 18, 2002
Planning and Development Department
Item 139 – Z-0062-02(1)

CONDITIONS – Continued:

9. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
10. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize ‘shoe-box’ fixtures and downward-directed lights. Wallpack lighting shall utilize ‘shoe-box’ fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
11. A Master Sign Plan shall be submitted for approval of the Planning Commission or City Council prior to the issuance of a Certificate of Occupancy for any building on the site.
12. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19A.12.050.
13. The applicant shall have an eight-foot tall decorative block wall, with at least 20 percent contrasting materials constructed along the eastern property boundary. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
14. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

15. Remove all substandard public street and alley improvements adjacent to the site, if any, and replace with new improvements meeting current City Standards. Concurrent with development of this site. Remove all unused driveway cuts, if any, adjacent to the site concurrent with development of the site.
16. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed driveway access, on site circulation and parking lot layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.

CITY COUNCIL MEETING OF SEPTEMBER 18, 2002
Planning and Development Department
Item 139 – Z-0062-02(1)

CONDITIONS – Continued:

17. Provide a copy of a recorded Joint Access and Parking Agreement between the two parcels composing this site, a recorded Lot Line Adjustment, or other means to legally combine the two underlying parcels acceptable to the City Surveyor prior to the issuance of any permits.
18. Site development to comply with all applicable conditions of approval for Z-0062-02, and all other site-related actions.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**CITY COUNCIL MEETING OF: SEPTEMBER 18, 2002****DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

REZONING - PUBLIC HEARING - **Z-0064-02** - **SOUTHWEST DESERT EQUITIES, LIMITED LIABILITY COMPANY, ET AL ON BEHALF OF U.S. HOME** - Request for a Rezoning FROM: U (Undeveloped) [PCD (Planned Community Development) General Plan Designation] and U (Undeveloped) [PCD (Planned Community Development) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial) TO: R-PD7 (Residential Planned Development - 7 Units Per Acre) on approximately 7.4 acres adjacent to the north side of Grand Teton Drive, approximately 225 feet west of Durango Drive (APN: 125-08-806-009 and 125-08-813-003), PROPOSED USE: SINGLE-FAMILY RESIDENTIAL, Ward 6 (Mack). The Planning Commission (5-0-2 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:**Planning Commission Mtg.****0****City Council Meeting****1****APPROVALS RECEIVED BEFORE:****Planning Commission Mtg.****0****City Council Meeting****0****RECOMMENDATION:**

The Planning Commission (5-0-2 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

MACK – APPROVED subject to conditions – UNANIMOUS with M. McDONALD excused

NOTE: COUNCILMAN McDONALD requested that he be excused so that he could attend a meeting with constituents who are trying to clean up Meadows Village and the Las Vegas corridor.

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

BRIAN PSIODA, VTN Nevada, 2727 South Rainbow Boulevard, appeared on behalf of the applicant and concurred with staff's recommendations on Item 140 [Z-0064-02]. He pointed out that on Item 141 [Z-0064-02(1)], the request to allow a six-foot wide landscape planter on the

CITY COUNCIL MEETING OF SEPTEMBER 18, 2002
Planning and Development Department
Item 140 – Z-0064-02

MINUTES – Continued:

south property line is an error because the required landscape planter is six feet. He verified that Condition #4 was amended at the Planning Commission meeting to indicate the 18 feet to the front of the garage as measured from the back of the sidewalk or back of curb. Regarding Condition #3, MR. PSIODA asked to be allowed to submit the landscape plan prior to the issuance of the building permits, instead of prior to the tentative map. He asked that Condition #8 be deleted since the site plan does not need to be revised. ROBERT GENZER, Director of Planning and Development, agreed to his requests.

TODD FARLOW, 240 North 19th Street, asked if sidewalks would be provided within the development. MR. PSIODA replied in the negative. MR. FARLOW argued that the 2020 Master Plan, within the Conservation Element, sidewalks should be provided on both sides of the streets. His concern is that if sidewalks are not provided at this time, 40 or 50 years from now, the Council will be trying to scramble funds to put in sidewalks. In addition, the elevations of the proposed homes do not meet the requirements of the 2020 Master Plan. Money was spent developing the 2020 Master Plan and developers are not adhering to its requirements.

There was no further discussion.

MAYOR GOODMAN declared the Public Hearing closed.

NOTE: All discussion for Item 140 [Z-0064-02] and Item 141 [Z-0064-02(1)] took place under Item 140 [Z-0064-02].

(5:07 – 5:11)

5-3530

CONDITIONS:

Planning and Development

1. A Resolution of Intent with a two-year time limit.
2. A Site Development Plan Review application approved by the Planning Commission or City Council prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

3. Coordinate with the City Surveyor regarding the proposed lot line adjustment at the east edge of this site; comply with the recommendations of the City Surveyor prior to the recordation of a Final Map for this site.

CITY COUNCIL MEETING OF SEPTEMBER 18, 2002
Planning and Development Department
Item 140 – Z-0064-02

CONDITIONS – Continued:

4. Construct half-street improvements including appropriate overpaving on Grand Teton Drive adjacent to this site concurrent with development of this site. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.
5. Coordinate with the Collection Systems Planning section of the Department of Public Works to extend public sanitary sewer in Grand Teton Drive to the west edge of this site at a location and depth acceptable to the City Engineer. All lots within this subdivision shall connect to public sewer; provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits as required by the Department of Public Works. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.
6. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Final Map for this site. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine traffic signal contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits or the recordation of a Final Map for this site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 and #234.2 to determine additional right-of-way requirements adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1, for dedicated right-turn lanes and dual left turn lanes, shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.

CITY COUNCIL MEETING OF SEPTEMBER 18, 2002
Planning and Development Department
Item 140 – Z-0064-02

CONDITIONS – Continued:

Alternatively, in lieu of a Traffic Impact Analysis, the applicant may participate in a reasonable alternative mutually acceptable to the applicant and the Department of Public Works.

7. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Final Map for this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to contribute monies for the construction of neighborhood or local drainage improvements. The amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits or the recordation of a Final Map for this site, whichever may occur first. In lieu of monetary contributions, in whole or in part, the developer may agree to construct such drainage facility improvements as are recommended by the approved Drainage Plan/Study concurrent with development of this site if allowed by the City Engineer.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: SEPTEMBER 18, 2002

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW RELATED TO Z-0064-02 - PUBLIC HEARING - **Z-0064-02(1) - SOUTHWEST DESERT EQUITIES, LIMITED LIABILITY COMPANY, ET AL ON BEHALF OF U.S. HOME** - Request for a Site Development Plan Review and a Reduction of the Perimeter Landscaping Requirements TO ALLOW A SIX FOOT WIDE LANDSCAPE PLANTER ON THE SOUTH PROPERTY LINE WHERE AN EIGHT FOOT WIDE LANDSCAPE PLANTER IS REQUIRED FOR A 45-LOT SINGLE-FAMILY RESIDENTIAL SUBDIVISION on approximately 7.4 acres adjacent to the north side of Grand Teton Drive, approximately 225 feet west of Durango Drive (APN: 125-08-806-009 and 125-08-813-003), U (Undeveloped) Zone [PCD (planned Community Development) General Plan Designation] and U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial) [PROPOSED: R-PD7 (Residential Planned Development - 7 Units Per Acre)], Ward 6 (Mack). The Planning Commission (5-0-2 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

1

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

The Planning Commission (5-0-2 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

MACK – APPROVED subject to conditions, deleting Condition #8 and amending Condition #3 as follows:

3. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the *issuance of the building permits*, to reflect minimum 24-inch box trees planted a maximum of 30 feet on-center and a minimum of four five-gallon shrubs for each tree within the six-foot wide landscape planter along Grand Teton Drive. All landscaping shall meet the requirements of the Las Vegas Urban Design Guidelines and Standards.

– UNANIMOUS with M. McDONALD excused

CITY COUNCIL MEETING OF SEPTEMBER 18, 2002
Planning and Development Department
Item 141 – Z-0064-02(1)

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

There was no discussion.

MAYOR GOODMAN declared the Public Hearing closed.

NOTE: All discussion for Item 140 [Z-0064-02] and Item 141 [Z-0064-02(1)] took place under Item 140 [Z-0064-02].

(1:30 – 1:36)

4-164

CONDITIONS:

Planning and Development

1. Approval of a Rezoning (Z-0064-02) to an R-PD 7 (Residential Planned Development – 7 Units Per Acre) Zoning District approved by the City Council.
2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
3. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a tentative map, to reflect minimum 24-inch box trees planted a maximum of 30 feet on-center and a minimum of four five-gallon shrubs for each tree within the six-foot wide landscape planter along Grand Teton Drive. All landscaping shall meet the requirements of the Las Vegas Urban Design Guidelines and Standards.
4. The setbacks for this development shall be a minimum of 15 feet to the front of the house, 18 feet to the front of the garage as measured from back of sidewalk or from back of curb if no sidewalk is provided, 5 feet on the side, 10 feet on the corner side, and 10 feet in the rear.
5. The building height shall not exceed two stories or 35 feet, whichever is less.
6. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.

CITY COUNCIL MEETING OF SEPTEMBER 18, 2002
Planning and Development Department
Item 141 – Z-0064-02(1)

CONDITIONS – Continued:

7. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.
8. The site plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a tentative map.
9. Air conditioning units shall not be mounted on rooftops.
10. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19A.12.050.
11. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
12. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

13. Vacation Application VAC-0045-01 shall be recorded prior to the recordation of a Final Map overlying or abutting the area to be vacated.
14. Meet with the Traffic Engineering Representative in Land Development for assistance in redesigning the proposed roadway layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. Gated access drives shall be designed, located and constructed in accordance with Standard Drawing #222a.
15. A Master Streetlight plan for the overall subdivision shall be approved prior to the submittal of any construction drawings for this site.
16. A Homeowner's Association shall be established to maintain all perimeter walls, private roadways, landscaping and common areas created with this development. All landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.

CITY COUNCIL MEETING OF SEPTEMBER 18, 2002
Planning and Development Department
Item 141 – Z-0064-02(1)

CONDITIONS – Continued:

17. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services prior to the issuance of any permits.
18. The final layout of this site shall be determined at the time of approval of the Tentative Map. Final right-of-way requirements will be determined at that time.
19. Site development to comply with all applicable conditions of approval for Zoning Reclassification Z-0064-02, on this same agenda, and all other subsequent site-related actions.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**CITY COUNCIL MEETING OF: SEPTEMBER 18, 2002****DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

REZONING - PUBLIC HEARING - **Z-0066-02 - CAMINAR - LAS VEGAS** - Request for a Rezoning FROM: U (Undeveloped) [M (Medium Density Residential) General Plan Designation TO: R-3 (Medium Density Residential) on 1.26 acres at 2140 Vegas Drive (APN: 139-20-802-007), [PROPOSED USE: CONVALESCENT CARE FACILITY ADDITION TO AN EXISTING GROUP HOME], Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:**Planning Commission Mtg.****0****City Council Meeting****2****APPROVALS RECEIVED BEFORE:****Planning Commission Mtg.****0****City Council Meeting****0****RECOMMENDATION:**

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

WEEKLY – ABEYANCE to 10-02-2002 – UNANIMOUS with M. McDONALD excused

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

JAMES GRINDSTAFF, 2230 Corporate Circle, appeared on behalf of the applicant together with CARLOS PONCE, representing Caminar. MR. GRINDSTAFF indicated that Caminar is a non-profit organization that runs a rehabilitation home. They are trying to add eight additional units to the rear of the existing group home. He asked for clarification regarding Condition #6 requiring a traffic study. He was told by Public Works that they would have an amount less than \$2,000 in lieu of the traffic study. BART ANDERSON, Public Works, verified that the Traffic Engineering Division indicated that to be correct. MR. GRINDSTAFF also clarified with ROBERT GENZER, Director of Planning and Development Department, that they are accepting an amended request from R-3 down to R-2. Although R-2 addresses density as a per unit basis, based on the use permit under convalescent care,

they are allowed to have up to 25 beds per acre. MR. GRINDSTAFF concurred with staff's conditions.

CITY COUNCIL MEETING OF SEPTEMBER 18, 2002
Planning and Development Department
Item 142 – Z-0066-02

MINUTES – Continued:

COUNCILMAN WEEKLY discussed with MR. PONCE that Caminar is a non-profit organization and it is State funded. Their clients are referred to their facility through different sources, such as the Clark County Health District, Clark County Social Services, and hospitals. COUNCILMAN WEEKLY indicated he is not familiar with Caminar. MR. PONCE added that they provide affordable housing for people with disabilities and specialize with HIV and AIDS clients. He reiterated that federal housing is currently at this site and the Caminar program is at 3233 West Charleston. COUNCILMAN WEEKLY indicated that even though the applicant spoke with his staff members, he did not receive any other information on the organization.

BEATRICE TURNER, West Las Vegas resident, expressed concern about the convalescent home and the sort of clients that are referred to this facility. Most convalescent homes do not accept patients that have AIDS. She asked whether these clients are bedridden or have Alzheimer's. Her concern is that they might wonder away from the facility. She supports the group home, but not the convalescent home. She suggested the applicant consider converting the veterans' medical facility into a convalescent home.

DAN CONTRERAS, Bonanza Village, stated that the condition of the landscaping at this property is horrible. The grass is dead and behind this building there are things stacked. He would have liked the applicant to make an effort to speak to the neighbors making them aware of this project. The density is also in question, since there is the Housing Authority complex next door. If anything should happen on this property, new grass or desert landscaping should be provided. Caminar may be providing good services, but the neighbors need to know what services are provided.

COUNCILMAN WEEKLY indicated he received calls from residents on Ludwig Drive who are also concerned about this project. Many of the residents are not aware what the applicant intends to do on this property. The Council always encourages applicants, especially when a project abuts a residential neighborhood, to inform them of their intent. COUNCILMAN WEEKLY requested all three items be abeyed to give him an opportunity to meet with the applicant and share information with the adjacent neighbors. He asked MR. GRINDSTAFF to call his office to schedule an appointment.

There was no further discussion.

CITY COUNCIL MEETING OF SEPTEMBER 18, 2002
Planning and Development Department
Item 142 – Z-0066-02

MINUTES – Continued:

MAYOR GOODMAN declared the Public Hearing closed.

NOTE: All discussion for Item 142 [Z-0066-02], Item 143 [U-0088-02] and Item 144 [SD-0033-02] took place under Item 142 [Z-0066-02].

(5:11 – 5:21)

6-130

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**CITY COUNCIL MEETING OF: SEPTEMBER 18, 2002****DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

SPECIAL USE PERMIT RELATED TO Z0066-02 - PUBLIC HEARING - **U-0088-02 - CAMINAR - LAS VEGAS** - Request for a Special Use Permit FOR A CONVALESCENT CARE FACILITY at 2140 Vegas Drive (APN: 139-20-802-007), U (Undeveloped) Zone [M (Medium Density Residential) General Plan Designation], Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:**Planning Commission Mtg.****0****City Council Meeting****2****APPROVALS RECEIVED BEFORE:****Planning Commission Mtg.****0****City Council Meeting****0****RECOMMENDATION:**

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

WEEKLY – ABEYANCE to 10-02-2002 – UNANIMOUS with M. McDONALD excused

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

JAMES GRINDSTAFF, 2230 Corporate Circle, appeared on behalf of the applicant together with CARLOS PONCE, representing Caminar.

No one appeared in opposition.

There was no discussion.

MAYOR GOODMAN declared the Public Hearing closed.

NOTE: All discussion for Item 142 [Z-0066-02], Item 143 [U-0088-02] and Item 144 [SD-0033-02] took place under Item 142 [Z-0066-02].

(5:11 – 5:21)

6-130

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**CITY COUNCIL MEETING OF: SEPTEMBER 18, 2002****DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

SITE DEVELOPMENT PLAN REVIEW RELATED TO Z-0066-02 AND U-0088-02 - PUBLIC HEARING - **SD-0033-02 - CAMINAR - LAS VEGAS** - Request for a Site Development Plan Review FOR AN 8-UNIT CONVALESCENT CARE FACILITY ADDITION TO AN EXISTING GROUP HOME on 1.26 acres at 2140 Vegas Drive (APN: 139-20-802-007), U (Undeveloped) Zone [M (Medium Density Residential) General Plan Designation] [PROPOSED: R-3 (Medium Density Residential)], Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:**Planning Commission Mtg.****0****City Council Meeting****2****APPROVALS RECEIVED BEFORE:****Planning Commission Mtg.****0****City Council Meeting****0****RECOMMENDATION:**

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

WEEKLY – ABEYANCE to 10-02-2002 – UNANIMOUS with M. McDONALD excused

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

JAMES GRINDSTAFF, 2230 Corporate Circle, appeared on behalf of the applicant together with CARLOS PONCE, representing Caminar.

There was no discussion.

MAYOR GOODMAN declared the Public Hearing closed.

NOTE: All discussion for Item 142 [Z-0066-02], Item 143 [U-0088-02] and Item 144 [SD-0033-02] took place under Item 142 [Z-0066-02].

(5:11 – 5:21)

6-130

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**CITY COUNCIL MEETING OF: SEPTEMBER 18, 2002****DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

ABEYANCE ITEM - GENERAL PLAN AMENDMENT - PUBLIC HEARING - **GPA-0006-02 - TONY WOOD-YICK AND LOUISA WAI-YEE CHOW, ET AL** - Request to amend a portion of the Centennial Hills Sector Plan FROM: ML (Medium Low Density Residential) TO: SC (Service Commercial) on 4.39 acres located adjacent to the northwest corner of Centennial Parkway and Thom Boulevard (APN: 125-24-801-017), Ward 6 (Mack). The Planning Commission (6-0 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:**Planning Commission Mtg.****2****City Council Meeting****0****APPROVALS RECEIVED BEFORE:****Planning Commission Mtg.****0****City Council Meeting****0****RECOMMENDATION:**

The Planning Commission (6-0 vote) and staff recommend DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application – Not Applicable
3. Staff Report
4. Submitted after final agenda – Letter from TRP Inc. requesting a withdrawal without prejudice

MOTION:

REESE – Motion to **WITHDRAW WITH PREJUDICE** Item 100 [DB-0016-02], **WITHDRAW WITHOUT PREJUDICE** Item 145 [GPA-0006-02] and Item 146 [Z-0021-02], **TABLE** Item 152 [GPA-0026-02] and Item 153 [Z-0050-02], and **HOLD IN ABEYANCE** Item 122 [U-0167-02], Item 124 [U-0045-02], Item 125 [U-0047-02], Item 126 [Z-0068-01(1)], Item 136 [Z-0034-02], and Item 137 [Z-0034-02(1)] to 10/2/2002 - **UNANIMOUS** with M. McDONALD and WEEKLY excused

MINUTES:

There was no discussion.

(2:07 – 2:12)

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**CITY COUNCIL MEETING OF: SEPTEMBER 18, 2002****DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

ABEYANCE ITEM - REZONING RELATED TO GPA-0006-02 - PUBLIC HEARING - **Z-0021-02 - TONY WOOD-YICK AND LOUISA WAI-YEE CHOW, ET AL** - Request for a Rezoning FROM: RE (Residence Estates) TO: C-1 (Limited Commercial) on 4.39 acres located adjacent to the northwest corner of Centennial Parkway and Thom Boulevard (APN: 125-24-801-017), PROPOSED USE: COMMERCIAL CENTER, Ward 6 (Mack). The Planning Commission (6-0 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:**Planning Commission Mtg.****2****City Council Meeting****0****APPROVALS RECEIVED BEFORE:****Planning Commission Mtg.****0****City Council Meeting****0****RECOMMENDATION:**

The Planning Commission (6-0 vote) and staff recommend DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted after final agenda – Letter from TRP Inc. requesting a withdrawal without prejudice

MOTION:

REESE – Motion to WITHDRAW WITH PREJUDICE Item 100 [DB-0016-02], WITHDRAW WITHOUT PREJUDICE Item 145 [GPA-0006-02] and Item 146 [Z-0021-02], TABLE Item 152 [GPA-0026-02] and Item 153 [Z-0050-02], and HOLD IN ABEYANCE Item 122 [U-0167-02], Item 124 [U-0045-02], Item 125 [U-0047-02], Item 126 [Z-0068-01(1)], Item 136 [Z-0034-02], and Item 137 [Z-0034-02(1)] to 10/2/2002 - UNANIMOUS with M. McDONALD and WEEKLY excused

MINUTES:

There was no discussion.

(2:07 – 2:12)

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: SEPTEMBER 18, 2002

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

GENERAL PLAN AMENDMENT - PUBLIC HEARING - **GPA-0016-02 - JOHN ELLIOT** - Request to amend a portion of the Southwest Sector of the General Plan FROM: R (Rural Density Residential) TO: L (Low Density Residential) on 0.44 acres at 5550 Carl Avenue (APN: 138-24-304-014), Ward 5 (Weekly). The Planning Commission (5-2 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

2

City Council Meeting

1

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

1

RECOMMENDATION:

The Planning Commission (5-2 vote) and staff recommend DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application - Not Applicable
3. Staff Report
4. Submitted after final agenda – Letter from Moran & Associates requesting abeyance
5. Submitted at City Council – Support petition with 12 signatures submitted by Attorney Moran

MOTION:

WEEKLY – DENIED – UNANIMOUS

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

ATTORNEY J. T. MORAN, III, Moran and Associates, 630 South 4th Street, appeared on behalf of the applicant and stated the applicant is asking for a zone change from R-E (Rural Estates to R-1 (Single Family) and amend the comprehensive plan from low density to very low density. The property's uniqueness justifies the request. The project is located on the corner of Shadow Mountain Place and Carl Avenue. The applicant would like to put two houses on 0.44 acres, as opposed to what is zoned for Ranch Estates Rural Preservation, one house per 0.44. The dimensions of this particular project warrant that, based on the fact the parcel is not deep, it fronts on Carl Avenue, and it is also adjacent to currently residential R-1 estate zoned property.

CITY COUNCIL MEETING OF SEPTEMBER 18, 2002
Planning and Development Department
Item 147 – GPA-0016-02

MINUTES - Continued:

ATTORNEY MORAN indicated that his client lives in the house on the left side of the property. On the right side of the property, the applicant is having an unbelievable amount of problems with people dumping in this area. That is where the new residence will be when constructed. The project is feasible and after looking at the building code requirements, two 2,600 to 2,800 square foot houses with pools can be put at that location. He demonstrated a schematic design of the overall project.

ATTORNEY MORAN emphasized that most importantly they wanted to get the neighbors' support of this project, and submitted a petition indicating that the community supports the project. He stated staff's recommendation for denial and the Planning Commission's denial was based on the fact that the project falls in the Rural Preservation neighborhood. He believes the objectivity needs to be applied versus the subjectivity to every single case. Objectivity being NRS 278.261; but then there would be no need for a Council or Planning Commission to have the discretion to make a decision, based on other than the legal description in what the law calls for. ATTORNEY MORAN mentioned that last month a change from R-E to C was granted. His client is asking for an R-E change to R-1 just to allow for this property to be developed. He reiterated that the neighborhood approves of the project and that it will create a larger tax base. He asked the Council to let his client improve the property, the neighborhood, as well as give somebody else a house to live in.

TODD FARLOW, 240 North 19th Street, stated that Code Enforcement cited this particular property, and now the applicant wants to divide the property and build another house. The applicant should first clean up the property and then come back for this request.

TOM McGOWAN, Las Vegas resident, stated that there is a reason for the existence of the City Council and it is discretionary, and this is the opportunity to do just that. He feels there is no basis for a denial of the applicant's request.

DEPUTY CITY ATTORNEY BRYAN SCOTT explained that the City Council does not have the discretion that ATTORNEY MORAN alluded to with regard to the Rural Preservation Neighborhood. The statute is clear in the NRS 278.0177 and 278.261 that if a property is within the Rural Preservation Neighborhood, the density can go no greater than two units per acre. If it were in its buffer area, the Council has the discretion to go greater than three units per acre, if in fact there was some good cause to do that. However, this particular request is within the Rural Preservation Neighborhood.

CITY COUNCIL MEETING OF SEPTEMBER 18, 2002
Planning and Development Department
Item 147 – GPA-0016-02

MINUTES - Continued:

COUNCILMAN WEEKLY indicated that City and County residential surround this area. At a neighborhood meeting it was discussed that the City will work closely together with the County Commissioner that represents this area to make sure the integrity of both the City and County residents is kept. COUNCILMAN WEEKLY expressed concern about the Nevada Revised Statute and it makes it difficult to overrule this decision. Additionally, the neighbors are uncomfortable with a possible precedent this particular item may set.

ATTORNEY MORAN rebutted that Subsection 2 of 278.261, which DEPUTY CITY ATTORNEY SCOTT read. In essence, it applies to Subsection 4 where it states that the governing body may, for good cause shown, allow a greater density or intensity of use when that use is less than 330 feet from a Rural Preservation Neighborhood. He believes he has shown good cause, as well as providing what the neighbors want. He established the fact that the Council has the discretion to approve this request, because the Council last month in Ward 6 did approve a zone change from R-E to commercial use. The applicant is trying to go slightly more intense. It is difficult and it is all legislative interpretation here and this can be construed either way. DEPUTY CITY ATTORNEY SCOTT clarified that the provision ATTORNEY MORAN referred to only refers to the buffer area of the Rural Preservation Neighborhood, not the Rural Preservation Neighborhood itself. Within that Rural Preservation Neighborhood, it has to stay in two units per acre. ATTORNEY MORAN reiterated that it is legislative interpretation and his interpretation is what he stated.

MAYOR GOODMAN indicated that the Mayor and Council rely on representations from attorneys that come before the Council. He was unaware that this was the impediment until it was brought forward.

COUNCILMAN WEEKLY concluded that he is uncomfortable with the project and moved for denial.

There was no further discussion.

MAYOR GOODMAN declared the Public Hearing closed.

NOTE: All discussion for Item 147 [GPA-0016-02] and Item 148 [Z-0039-02] took place under Item 147 [GPA-0016-02].

(2:40 – 2:57)

4-1200

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**CITY COUNCIL MEETING OF: SEPTEMBER 18, 2002****DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

REZONING RELATED TO GPA-0016-02 - PUBLIC HEARING - **Z-0039-02 - JOHN ELLIOT** - Request for a Rezoning FROM: R-E (Residence Estates) TO: R-1 (Single Family Residential) on 0.44 acres at 5550 Carl Avenue (APN: 138-24-304-014), PROPOSED USE: TWO-LOT SINGLE-FAMILY RESIDENTIAL SUBDIVISION, Ward 5 (Weekly). The Planning Commission (5-2 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:**Planning Commission Mtg.****2****City Council Meeting****1****APPROVALS RECEIVED BEFORE:****Planning Commission Mtg.****0****City Council Meeting****1****RECOMMENDATION:**

The Planning Commission (5-2 vote) and staff recommend DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
5. Staff Report
6. Submitted after final agenda – Letter from Moran & Associates requesting abeyance
7. Submitted at City Council – Support petition with 12 signatures submitted by Attorney Moran

MOTION:**WEEKLY – DENIED – UNANIMOUS****MINUTES:**

MAYOR GOODMAN declared the Public Hearing open.

ATTORNEY J. T. MORAN, III, Moran and Associates, 630 South 4th Street, appeared on behalf of the applicant.

There was no discussion.

MAYOR GOODMAN declared the Public Hearing closed.

NOTE: All discussion for Item 147 [GPA-0016-02] and Item 148 [Z-0039-02] took place under Item 147 [GPA-0016-02].

(2:40 – 2:57)

4-1200

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**CITY COUNCIL MEETING OF: SEPTEMBER 18, 2002****DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

GENERAL PLAN AMENDMENT - PUBLIC HEARING - **GPA-0021-02 - DAVID LITVAK, ET AL** - Request to amend the Las Vegas Redevelopment Plan FROM: Civic (9B) TO: Commercial and Medium to High Density Residential/ Commercial Rehab (20) on approximately 0.81 acres adjacent to the southwest corner of Bonanza Road and North 7th Street (APN: 139-34-512-040 041 and 139-27-804-003,), Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:**Planning Commission Mtg.****0****City Council Meeting****0****APPROVALS RECEIVED BEFORE:****Planning Commission Mtg.****0****City Council Meeting****1****RECOMMENDATION:**

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application - Not Applicable
3. Staff Report

MOTION:

WEEKLY – APPROVED – UNANIMOUS with M. McDONALD excused

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

VERONIKA HALLS LITVAK and DAVID LITVAK, 412 North 7th Street, concurred with staff's recommendations.

TODD FARLOW, 240 North 19th Street, supports the live-work projects.

COUNCILMAN WEEKLY indicated that MR. and MRS. LITVAK are new residents in Ward 5 and commended them for their vision. There was a small amount of opposition due to the fact many people are not used to change. He appreciates their innovative ideas and welcomed them to the neighborhood

CITY COUNCIL MEETING OF SEPTEMBER 18, 2002
Planning and Development Department
Item 149 – GPA-0021-02

MINUTES – Continued:

MAYOR GOODMAN indicated that he drives through this area often and is happy to see the phenomenal improvements occurring.

No one appeared in opposition.

There was no further discussion.

MINUTES - Continued:

MAYOR GOODMAN declared the Public Hearing closed.

NOTE: All discussion for Item 149 [GPA-0021-02], Item 150 [Z-0045-02] and Item 151 [Z-0044-02] took place under Item 149 [GPA-0021-02].

(5:21 – 5:26)

6-430

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**CITY COUNCIL MEETING OF: SEPTEMBER 18, 2002****DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

REZONING RELATED TO GPA-0021-02 - PUBLIC HEARING - **Z-0045-02 - DAVID LITVAK, ET AL** - Request for a Rezoning FROM: R-4 (High Density Residential) TO: C-2 (General Commercial) on approximately 0.81 acres adjacent to the southwest corner of Bonanza Road and North 7th Street (APN: 139-34-512-040, 041 and 139-27-804-003), PROPOSED USE: ART AND FABRIC SALES, Ward 5 (Weekly). The Planning Commission (7-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:**Planning Commission Mtg.****0****City Council Meeting****0****APPROVALS RECEIVED BEFORE:****Planning Commission Mtg.****3****City Council Meeting****1****RECOMMENDATION:**

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

WEEKLY – APPROVED subject to conditions – UNANIMOUS with M. McDONALD excused

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

VERONIKA HALLS LITVAK and DAVID LITVAK, 412 North 7th Street, concurred with staff's recommendations.

No one appeared in opposition.

There was no discussion.

MAYOR GOODMAN declared the Public Hearing closed.

NOTE: All discussion for Item 149 [GPA-0021-02], Item 150 [Z-0045-02] and Item 151 [Z-0044-02] took place under Item 149 [GPA-0021-02].

(5:21 – 5:26)

6-430

CITY COUNCIL MEETING OF SEPTEMBER 18, 2002
Planning and Development Department
Item 150 – Z-0045-02

CONDITIONS:

Planning and Development

1. This request shall be amended to C-1 (Limited Commercial) Zoning.
2. A Resolution of Intent with a two-year time limit.
3. A Site Development Plan Review application approved by the Planning Commission or City Council prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

4. Dedicate 10 feet of right-of-way adjacent to this site for Bonanza Road and a 25 foot radius on the southwest corner of Bonanza Road and Seventh Street prior to the issuance of any permits. Coordinate with the Right-of-way Section of the Department of Public Works for assistance in preparing the appropriate documents.
5. Construct all incomplete half-street improvements on 7th Street and Bonanza Road, if any, adjacent to this site concurrent with development of this site. Also, remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site.
6. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed driveway access, on site circulation and parking lot layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. All new driveways or modifications to existing driveways shall be designed, located and constructed to meet the intent of Standard Drawing #222a. If parking is proposed off of the public alley on the west edge of this site, such parking shall be set back a minimum of four feet from the alley to allow a minimum of 24 feet of maneuvering space behind the parking stalls.
7. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits or the submittal of any construction drawings. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved

CITY COUNCIL MEETING OF SEPTEMBER 18, 2002
Planning and Development Department
Item 150 – Z-0045-02

CONDITIONS – Continued:

Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.

Alternatively, in lieu of a Traffic Impact Analysis, the applicant may participate in a reasonable alternative mutually acceptable to the applicant and the Department of Public Works.

8. Landscape and maintain all unimproved right-of-way on Bonanza Road and Seventh Street adjacent to this site.
9. Submit an Encroachment Agreement for all private improvements located in the Bonanza Road and Seventh Street public right-of-way adjacent to this site prior to occupancy of this site.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: SEPTEMBER 18, 2002

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

REZONING RELATED TO GPA-0021-02 AND Z-0045-02 - PUBLIC HEARING - **Z-0044-02**
- **DAVID LITVAK, ET AL** - Request for a Rezoning FROM: R-4 (High Density Residential) TO:
C-2 (General Commercial) on 0.16 acres at 400, 408, and 412 North 7th Street (APN: 139-34-512-
037, 038, and 039), PROPOSED USE: ART AND FABRIC SALES, Ward 5 (Weekly). Staff
recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

1

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

1

RECOMMENDATION:

Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL, subject
to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

WEEKLY – APPROVED subject to conditions – UNANIMOUS

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

VERONIKA HALLS LITVAK and DAVID LITVAK, 412 North 7th Street, concurred with staff's
recommendations.

No one appeared in opposition.

There was no discussion.

CITY COUNCIL MEETING OF SEPTEMBER 18, 2002
Planning and Development Department
Item 151 – Z-0044-02

MINUTES – Continued:

MAYOR GOODMAN declared the Public Hearing closed.

NOTE: All discussion for Item 149 [GPA-0021-02], Item 150 [Z-0045-02] and Item 151 [Z-0044-02] took place under Item 149 [GPA-0021-02].

(5:21 – 5:26)

6-430

CONDITIONS:

Planning and Development

1. This request shall be Amended to C-1 (Limited Commercial) Zoning.
2. A Resolution of Intent with a two-year time limit.
3. A Site Development Plan Review application approved by the Planning Commission or City Council prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

4. Dedicate a 10 foot radius on the northwest corner of 7th Street and Mesquite Avenue prior to the issuance of any permits for this site. Coordinate with the Right-of-way Section of the Department of Public Works for assistance in preparing the appropriate documents. Such dedication shall not be required if the applicant can provide proof to the City that existing permanent structures are within the area to be dedicated.
5. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site. The alley is scheduled to be reconstructed with a City of Las Vegas downtown rehabilitation project; therefore, no improvements to the alley are required at this time.
6. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed driveway access, on site circulation and parking lot layout prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. All new driveways or modifications to existing driveways shall be designed, located and constructed to meet the intent of Standard Drawing #222a. If parking is proposed off of

the public alley on the west edge of this site, such parking shall be set back a minimum of four feet from the alley to allow a minimum of 24 feet of maneuvering space behind the parking stalls.

CITY COUNCIL MEETING OF SEPTEMBER 18, 2002
Planning and Development Department
Item 151 – Z-0044-02

CONDITIONS – Continued:

7. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits or the submittal of any construction drawings. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The City shall determine area traffic mitigation contribution requirements based upon information provided in the approved Traffic Impact Analysis; such monies shall be contributed prior to the issuance of any permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.

Alternatively, in lieu of a Traffic Impact Analysis, the applicant may participate in a reasonable alternative mutually acceptable to the applicant and the Department of Public Works.

8. Landscape and maintain all unimproved right-of-way on 7th Street and Mesquite Avenue adjacent to this site.
9. Submit an Encroachment Agreement for all private improvements located in the 7th Street and Mesquite Avenue public right-of-way adjacent to this site prior to occupancy of this site.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: SEPTEMBER 18, 2002

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

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DISCUSSION

SUBJECT:

GENERAL PLAN AMENDMENT - PUBLIC HEARING - GPA-0026-02 - ROBERT M. AND PATRICIA SCHNIDER FAMILY TRUST ON BEHALF OF OMEGA DEVELOPMENT, LIMITED LIABILITY COMPANY - Request to amend a portion of the Southwest Sector Plan FROM: R (Rural Density Residential) TO: M (Medium Density Residential) on 4.68 acres adjacent to the northwest corner of Jones Boulevard and Madre Mesa Drive (APN: 138-14-702-003 and 138-14-702-009), Ward 5 (Weekly). The Planning Commission (6-0-1 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

150

City Council Meeting

2

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

The Planning Commission (6-0-1 vote) and staff recommend DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application - Not Applicable
3. Staff Report
4. Submitted after final agenda – Abeyance request by Kummer Kaempfer Bonner & Renshaw
5. Submitted after final agenda – Protest letters

MOTION:

REESE – Motion to WITHDRAW WITH PREJUDICE Item 100 [DB-0016-02], WITHDRAW WITHOUT PREJUDICE Item 145 [GPA-0006-02] and Item 146 [Z-0021-02], TABLE Item 152 [GPA-0026-02] and Item 153 [Z-0050-02], and HOLD IN ABEYANCE Item 122 [U-0167-02], Item 124 [U-0045-02], Item 125 [U-0047-02], Item 126 [Z-0068-01(1)], Item 136 [Z-0034-02], and Item 137 [Z-0034-02(1)] to 10/2/2002 - UNANIMOUS with M. McDONALD and WEEKLY excused

MINUTES:

There was no discussion.

(2:07 – 2:12)

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

CITY COUNCIL MEETING OF: SEPTEMBER 18, 2002

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

REZONING RELATED TO GPA-0026-02 - PUBLIC HEARING - **Z-0050-02 - ROBERT M. AND PATRICIA SCHNIDER FAMILY TRUST ON BEHALF OF OMEGA DEVELOPMENT, LIMITED LIABILITY COMPANY** - Request for a Rezoning FROM: U (Undeveloped) [R (Rural Density Residential) General Plan Designation] TO: R-3 (Medium Density Residential) on 4.68 acres adjacent to the northwest corner of Jones Boulevard and Madre Mesa Drive (APN: 138-14-702-003 and 138-14-702-009), PROPOSED USE: MULTI-FAMILY RESIDENTIAL, Ward 5 (Weekly). The Planning Commission (6-0-1 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

150

City Council Meeting

2

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

The Planning Commission (6-0-1 vote) and staff recommend DENIAL.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted after final agenda – Abeyance request by Kummer Kaempfer Bonner & Renshaw
5. Submitted after final agenda – Protest letters

MOTION:

REESE – Motion to WITHDRAW WITH PREJUDICE Item 100 [DB-0016-02], WITHDRAW WITHOUT PREJUDICE Item 145 [GPA-0006-02] and Item 146 [Z-0021-02], TABLE Item 152 [GPA-0026-02] and Item 153 [Z-0050-02], and HOLD IN ABEYANCE Item 122 [U-0167-02], Item 124 [U-0045-02], Item 125 [U-0047-02], Item 126 [Z-0068-01(1)], Item 136 [Z-0034-02], and Item 137 [Z-0034-02(1)] to 10/2/2002 - UNANIMOUS with M. McDONALD and WEEKLY excused

MINUTES:

There was no discussion.

(2:07 – 2:12)

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: SEPTEMBER 18, 2002

DEPARTMENT: CITY CLERK

DIRECTOR: BARBARA JO (RONI) RONEMUS

☐

CONSENT

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DISCUSSION

SUBJECT:

SET DATE ON ANY APPEALS FILED OR REQUIRED PUBLIC HEARINGS FROM THE CITY PLANNING COMMISSION MEETINGS, CENTENNIAL HILLS ARCHITECTURAL REVIEW COMMITTEE AND DANGEROUS BUILDING OR NUISANCE/LITTER ABATEMENTS

**NL 4550 EAST WASHINGTON AVENUE, DB 3104 MERRITT AVENUE, DB 340
ARNOLD STREET – 10/2/2002 AGENDA**

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: SEPTEMBER 18, 2002

DEPARTMENT: CITY CLERK

DIRECTOR: BARBARA JO (RONI) RONEMUS

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CONSENT

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DISCUSSION

SUBJECT:

ADDENDUM:

None.

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: SEPTEMBER 18, 2002

CITIZENS PARTICIPATION:

Items raised under this portion of the City Council Agenda cannot be deliberated or acted upon until the notice provisions of the Open Meeting Law have been met. If you wish to speak on a matter not listed on the agenda, please step up to the podium and clearly state your name and address. In consideration of others, avoid repetition, and limit your comments to no more than three (3) minutes. To ensure all persons equal opportunity to speak, each subject matter will be limited to ten (10) minutes.

MINUTES:

BEATRICE TURNER, West Las Vegas resident, noted that last Tuesday she had to call the City about a street sweeper because the streets were not swept correctly. The area superintendent and his worker came out to her house, and while she was showing them the area that had not been swept, she asked them why the residents of this particular area are not getting the same services that residents in Green Valley and Summerlin get. His reply was that the difference between the residents in Summerlin and the residents of West Las Vegas is that they take pride in their community. She was upset by his remark. If she did not take pride in her community, she would not have been concerned about the improperly swept streets. The gentleman added that if she had a problem she should call her Council representative. On Thursday, Public Works representatives and a street sweeper were in front of her house to sweep the streets.

(5:26 – 5:29)

6-580

TODD FARLOW, 240 North 19th Street, wondered if Code Enforcement still operates because they have not been in his neighborhood. He counted 53 structures being remodeled and only one had a permit. He complimented the City for the updated construction equipment being used. Good maintenance saves money. He confirmed with MAYOR GOODMAN that he is the landlord of the medical building located at 1707 West Charleston. He noticed a group of hooligans pitching rocks at a sign on that property. Maybe the landscaping should be changed and the rocks removed.

Lastly, MR. FARLOW stated that the tax money should go to fund the Fire Department, not a fraternity house. He explained this by submitting a newspaper article dated September 11, 2002, regarding alleged ridiculous activities fire cadets are being asked to participate in. He had spoken with CITY MANAGER DOUG SELBY, who will investigate these allegations.

(5:29 – 5:31)

6-690

City of Las Vegas

CITY COUNCIL MEETING OF SEPTEMBER 18, 2002 CITIZEN PARTICIPATION – Continued

MINUTES - Continued:

JANIS CARTER, 3821 Marshall Circle, read and submitted written comments, which have been made a part of the Final Minutes. MAYOR GOODMAN suggested MS. CARTER continue to work with the City Attorney's Office to see whether those issues described in her letter can be resolved.

(5:31 – 5:35)

6-780

DAN CONTRERAS, Bonanza Village, presented a photograph of the Veterans Administration Center, which he made a part of the record. This building can be seen from his backyard, and he gladly gave up his privacy when he was asked to buy into the dream because it would help past and future war veterans. However, soon the building will be vacant. To have a building of this size abandoned in West Las Vegas is the touch of death. He asked the Council to solve this problem because it is a big issue for West Las Vegas. Two gas stations on the corner of Martin Luther King and Vegas Drive are already boarded up. Once the security leaves and the lights are turned off on this building, it will be a magnet for those people the residents worked so hard to move out of this neighborhood. A step forward was taken when residents began to see positive changes happen. However, now a step backward is being taken. Every Council member has a Veterans population in their Wards. Now all of a sudden they are dispersing them because the building is unsafe. He asked that the Mayor and Council seek answers. He feels the building should be demolished and started from scratch, because the residents have put all their hopes to kick off redevelopment in this area. Veterans are needed as much as the veterans need this building because many small businesses opened in this area were counting on that traffic. Once the veterans go, it will become a domino affect. SHELLEY BERKLEY'S office indicated they are looking for another location. He suggested the building be used as a hospital and convert this area into a veterans' medical district. MAYOR GOODMAN directed CITY MANAGER DOUG SELBY to brief him as to the status of this issue and what can be done.

(5:35 – 5:40)

6-920

TOM McGOWAN, Las Vegas resident, read and submitted his written comments, which have been made a part of the Final Minutes.

(5:40 – 5:43)

6-1060

City of Las Vegas

CITY COUNCIL MEETING OF SEPTEMBER 18, 2002
CITIZEN PARTICIPATION – Continued

MINUTES - Continued:

MAYOR GOODMAN informed AL GALLEG0, Las Vegas resident, that he would hold two different meetings, one on Friday at the Bagel Café with COUNCILWOMAN MCDONALD Ward 2 at 7:30 a.m. until 9:00 a.m. and at 10:00 a.m. in the City Council Chambers for the third Friday of the month meeting. Citizens are welcome to attend both meetings. On Thursday there will be a press conference at 3:00 p.m. to report to the public the result of the emergency exercise that took place at Cashman Field.

(5:43 – 5:44)

6-1190

MEETING ADJOURNED AT 5:44 P.M.